

BONNER COUNTY PLANNING DEPARTMENT BOARD OF COUNTY COMMISSIONERS STAFF REPORT FOR AUGUST 20, 2026



Project Name: City of Spirit Lake wastewater treatment facility

File: APPL0002-26 appeal of CUP0007-25 Conditional Use Permit.

Request: The applicant is appealing the Zoning Commissions decision of CUP0007-25, a conditional use permit for a public utility facility

Legal Description: 30-54N-4W SE LESS TAX 5 KANIKSU NATIONAL FOREST

Location: Spirit Lake Cutoff, Spirit Lake

Parcel Number: RP54N04W307201A

Parcel Size: 158.74 acres

Applicant and Property Owner: City of Spirit Lake
6042 West Maine St.
Spirit Lake, ID 83869

Project Representatives: Kevin Koesel
James A. Sewell & Associates, LLC
[REDACTED]
[REDACTED]

North Idaho Planning & Consulting
Jake Gabell
[REDACTED]

Application filed: October 10, 2025

Notice provided: Mail: July 22, 2026
Site Posting: July 14, 2026
Published in newspaper: July 14, 2026

Appendix A- Agency Noticing
Appendix B- Agency Comment
Appendix C- Agency Noticing (Appeal)
Appendix D- Agency Comment (Appeal)
Appendix E- Decision Letter Zoning Commission
Appendix F- Applicant's appeal letter



The applicant is requesting a conditional use permit for a public utility facility to accommodate a wastewater treatment plant. The site is located near the intersection of Spirit Lake Cutoff and Highway 41. The site is ±158.74 acres and currently zoned Rural-10. The site is currently vacant.

The following sections of BCRC, Title 12, apply to this project:

BCRC 12-220, et seq, Conditional use permit, application and standards
BCRC 12-262, Appeals from final decision of Commission/ Hearing Examiner

BCRC 12-335, Public Utility Facility
 BCRC 12-4.2, Performance standards for all uses
 BCRC 12-4.3, Parking standards
 BCRC 12-4.4, Sign standards
 BCRC 12-4.5, Design standards
 BCRC 12-4.6, Landscaping and screening standards
 BCRC 12-7.2, Grading, stormwater management and erosion control

Background:

A. Site data:

- Unplatted parcel
- Size: ±158.74 acres
- Zone: Rural-10
- Land Use: Ag/Forest Land

B. Access:

- Highway 41 is a State of Idaho owned and maintained paved right-of-way. Spirit Lake Cutoff is paved Bonner County owned and maintained right-of-way.

C. Environmental factors:

- Site does contain mapped slopes of 0-29% grade. (USGS)
- Site does not contain mapped wetlands. (USFWS)
- Site does not contain any mapped water courses.
- Parcel is within SFHA Zone D per FIRM Panel Number 16017C1325E Effective Date 11/18/2009.

D. Services:

- Water: N/A
- Sewage: N/A
- Fire: Spirit Lake Fire District
- Power: Avista Utilities
- School District: West Bonner County School District #83

E. Comprehensive Plan, Zoning and Current Land Use:

Compass	Comp Plan	Zoning	Current Land Use & Density
Site	Ag/Forest land/ Rural Residential	Rural-5 & Rural-10	Vacant- 158.74 acres
North	Rural Residential	Rural-5	SFD/Vacant- 5 to 20 acres
East	Rural Residential	N/A	Highway 41
South	Transition	Rural-5/ Industrial	SFD/ Commercial- 4.2 to 7.6 acres
West	Rural Residential	Rural-5	SFD/ Vacant- 5 to 60 acres

F. Agency Review

This proposal is within the Area of Impact for City of Spirit Lake, the city was notified of the proposal on December 26, 2025. All other agencies and taxing districts were notified of this application on January 20, 2026. A full list of the public agencies can be found in the attached Appendix A. Agency comments can be found in the attached Appendix B.

The following agencies commented:

- Idaho Department of Water Resources

The following agencies replied "No comment":

- Idaho Transportation Department
- Kootenai Ponderay Sewer District
- Idaho Department of Fish & Game

No other agencies, notified of the request, replied.

Public Comments:

As of the date of this staff report, public comments were received on the request.

Agency Review:

Agencies and taxing districts were notified of this application on January 20, 2026. A full list of the public agencies can be found in the attached Appendix A. Agency comments can be found in the attached Appendix B.

The following agencies commented:

- Idaho Department of Water Resources

The following agencies replied "No comment":

- Idaho Department of Fish and Game
- Idaho Transportation Department
- Kootenai Ponderay Sewer District

No other agencies, notified of the request, replied.

Public Comments:

As of the date of this staff report, public comments were received on the request.

Agency Review (Appeal):

Agencies and taxing districts were notified of this application on July 22, 2026. A full list of the public agencies can be found in the attached Appendix A. Agency comments can be found in the attached Appendix B.

The following agencies commented:

- Idaho Department of Water Resources
- Idaho Transportation Department
- Spirit Lake Fire Protection District

The following agencies replied “No comment”:

- Bonneville Power Administration
- Idaho department of Water Resources
- Kootenai- Ponderay Sewer District
- Idaho Transportation Department- Permits

No other agencies, notified of the request, replied.

Public Comments:

As of the date of this staff report, public comments were received on the request.

Standards Review and Staff Analysis:

BCRC 12-220, This subchapter establishes criteria for conditional uses in a zoning district.

BCRC 12-222: Application Contents

Staff: The applicant provided all required information to deem the application complete. Planning Staff deemed the application complete on October 10, 2025.

BCRC 12-223: The Zoning Commission or Hearing Examiner shall review the particular facts and circumstances of each proposal submitted. To grant a conditional use permit, the Zoning Commission or Hearing Examiner must find that the proposal is not in conflict with the policies of the comprehensive plan, as found in the adopted Implementation Component, and that the proposed use will neither create a hazard nor be dangerous to persons on or adjacent to the property.

12-262: APPEALS FROM FINAL DECISION OF COMMISSION/HEARING EXAMINER:

A. Presentation Of Appeal: Any “affected person”, as defined by Idaho Code title 67, chapter 65, may appeal to the Board any final decision by the Zoning Commission/hearing examiner.

Staff: The applicant presented an appeal as an “affected person” in accordance with Idaho Code 67-6521.

B. Filing Time Limit; Fee: Any affected person may file an appeal of the final decision of the Zoning Commission/hearing examiner with the Planning Director within twenty-eight (28) days after the final written decision of the Zoning Commission/hearing examiner has been issued. The appellant shall pay the fee required by this title upon filing the appeal. An appeal shall not be considered to be filed until such fee has been paid. Failure to file the appeal within the time limits shall cause automatic dismissal of the appeal.

Staff: The written decision from the Zoning Commission was sent to the applicant on March 9, 2026. An appeal of the final decision was submitted on April 1, 2026, and fees paid April 2, 2026.

C. Notice Of Appeal Contents: The notice of appeal shall be detailed in writing and shall provide the grounds for the appeal. The grounds for appeal shall be that the decision of the commission or hearing examiner was at a minimum one of the following:

1. In violation of constitutional or statutory provisions;
2. In excess of the statutory authority of the commission or hearing examiner;
3. Made upon unlawful procedure;
4. Arbitrary, capricious or an abuse of discretion; or
5. Not supported by substantial evidence on the record as a whole.

Staff: The applicant submitted a narrative statement detailing that the decision was arbitrary and capricious, abuse of discretion and lack of substantial evidence on record. **See Appendix F for the complete letter.**

D. Procedures For Consideration Of Appeal:

1. Within sixty (60) days of the receipt of the appeal, the Board shall conduct a public hearing. The hearing shall be conducted in the same manner using the same standards, as if the Board had original jurisdiction to hear the application.
2. Upon consideration, the Board may affirm, reverse, or modify the decision of the Zoning Commission/hearing examiner, after compliance with applicable procedural standards.
3. The decision of the Board shall be final, and any further recourse shall be as provided by law.

Staff: The applicant on April 16, 2026, waived their right to have the appeal heard within the sixty (60) day timeframe as required BCRC 12-262(D) by the Board of County Commissioners.

BCRC 12-335: Public Use Table 3-5

Use	Zoning District								
	F	A/F	R	S	C	I	RSC	REC	AV
Public utility facility (6), (11)	C	C (3)	C (3)	C	C	C	C	C	C

(3) Where access to the site is by road, the road shall be located within a recorded easement or public right-of-way, and constructed to the appropriate standard set forth in title 2 of this Code or [appendix A](#) of this title, except where subject to the terms of an approved special use permit issued by a State or Federal agency.

Staff: Access to the site will be off Highway 41. Highway 41 is an Idaho State owned and maintained paved right-of-way. When notified of the project Idaho Department of Transportation replied with “no comment”.

(6) Specified conditions with respect to emissions of noise, light, glare, smoke, odor, dust, particulate matter, vibrations or hours of operation may be prescribed differently from those required in a given district, as to be compatible with other applicable State and Federal standards.

Staff: The facility is proposed to maintain a 100-foot treed buffer on all property boundaries. This treed buffer will help to mitigate aerosols and odors to adjoining parcels.

Noise: Noise associated with this use is generated from electrical motors used for equipment on site. The code does not regulate objectional noise at the property line for public land uses.

Light: Lighting is proposed for parking area and attached to building on the site for safety purposes. Lighting shall follow the standards in BCRC 12-453(F).

Glare: Glare caused from lighting is unlikely to trespass to adjacent parcels.

Smoke: Smoke is typically not associated with sewer treatment facilities.

Odor: To mitigate any odors associated with this use the applicant has proposed to install aerators to keep the water from stagnating. Per the applicant, the aerators will help to oxygenate the water. This process also helps to reduce any odor that typically occurs during spring thaw.

Dust: Dust is typically not associated with sewage treatment facilities. Any dust that could be generated on site is from vehicles entering and exiting the property and use of maintenance roads on site. Fugitive dust is not anticipated to leave the site.

Particulate matter: The proposed tree buffer could help reduce any particulate matter from the land application process from adversely affect adjacent properties.

Vibration: This use typically does not cause vibration.

Hours of operation: One employee will be accessing the site for 40 hours per week, Monday- Friday, 7:00-4:30. The facility will be operational 24 hours a day 7 days a week.

(11) The area of land covered by buildings shall not exceed 35 percent of the total lot area. The site area shall be sufficient to accommodate the facility and required parking, setbacks, landscaping, walkways and other applicable development standards. The public utility facility lot or parcel is not required to meet the minimum lot/parcel size of the zoning district in which it is located. In considering applications, the Planning or Zoning Commission shall consider the public convenience and necessity of the facility and any adverse effect that the facility will have upon properties in the vicinity, and may require such reasonable restrictions, or conditions of development; or protective improvements as to uphold the purpose and intent of this title and the comprehensive plan. A sewage management agreement shall be approved and executed prior to the issuance of a conditional use permit for

subsurface sewage disposal systems serving 10 or more residential dwelling units or designed with a capacity of 2,500 gallons or more per day.

Staff: The parcel is $\pm 6,885,480$ sq.ft., three (3) structures are proposed on site that total ± 4192 sq.ft.. The allowed square footage for this proposal to reach 35% lot coverage is $\pm 2,409,918$ sq.ft. The submitted site plan shows the proposal may accommodate applicable developments standards of this code. The applicant has provided an approved 2018 wastewater facility report for the current facility that is south of this proposal that is meeting DEQ standards. A new wastewater facility plan is currently under review and approval from DEQ.

Subchapter 4.2, BCRC 12-421 Performance standards for all uses:

No land or building in any district shall be used or occupied in any manner creating dangerous, injurious, noxious or otherwise objectionable conditions which could adversely affect the surrounding areas or adjoining premises, except that any use permitted by this title may be undertaken and maintained if acceptable measures and safeguards to reduce dangerous and objectionable conditions to acceptable limits as established by the following performance requirements:

- Fire Hazards
 - Radioactivity or Electrical Disturbance
 - Noise "Objectionable noise"
 - Vibration
 - Air Pollution
 - Water Pollution
- **Staff:** The application was reviewed against these standards, and no special requests were made. The requested use is unlikely to result in:
 - Fire Hazards
 - Radioactivity or Electrical Disturbance
 - Noise "Objectionable noise"
 - Vibration
 - Air Pollution
 - Water Pollution

Subchapter 4.3, BCRC 12-432, Parking standards: Table 4-3 minimum off street parking requirements for public uses:

Staff: There is no requirement for minimum off-street parking spaces for a Public Utility Facility. If required, the site has sufficient area to accommodate parking for the proposed use.

Subchapter 4.4- BCRC 12-441-Sign Standards:

- A. All signs erected, altered or maintained pursuant to this title will comply with the regulations herein, except for political signs or posters, traffic control signs and directional signs maintained by government entities.

Staff: The applicant is a governmental agency and is exempt from this requirement. The proposed signage to be installed gives directions to unauthorized persons not to enter the facility.

BCRC 12-4.5, et seq, Design standards:

- **BCRC 12-4.5 Design Standards**

- **BCRC 12-451 Applicability:** The standards in section 12-453 of this chapter shall apply to all new development in the commercial, industrial where commercial uses and services are proposed, and rural service center districts and all other commercial, multi-family, public and industrial development in other zoning districts unless otherwise noted.

Staff: The standards of this subchapter are applicable to this proposal for a Public Utility Facility in the Rural-10 zoning district.

- **BCRC 12-452 Site and Buildings:** The applicant shall submit site and building plans through the applicable permit process detailed as necessary to demonstrate how the standards in section [12-453](#) of this chapter have been met

Staff: BCRC 11-101 requires Building Location Permits (BLP) for structures. The proposed structures will require a BLP and meet requirements of this code.

- **BCRC 12-453.A. Sidewalk/Pathway Standards:** Provide a sidewalk or pathway paralleling or nearly paralleling the street along the front edge of the property. The planning director may grant an exception to the above requirement if the following criteria are met, as determined by the planning director:

Staff: The Planning Director determined this standard is not applicable to this proposal per BCRC 12-453.A.1 and BCRC 12-453.A.2. Adjacent properties or properties along the applicable street frontage are not zoned for commercial uses. Structures on the site are not proposed to be on or near the street.

- **BCRC 12-453.B. Pedestrian Connections:** Provide walkways connecting all on site commercial and multi-family buildings with each other and the street for all new developments and any building additions where the value of the additions equals or exceeds fifty percent (50%) of the market value of the existing structure and/or site improvements as determined by the Bonner County assessor's office over any five (5) year time period. Buildings/uses where little or no pedestrian traffic is anticipated may be exempted from this requirement.

Staff: This proposal is exempt from this standard as this is a proposal for a wastewater treatment facility where no pedestrian traffic is anticipated.

- **BCRC 12-453.C. Parking Lot Pathways-** Specifically, walkways should be provided every four (4) rows and a maximum distance of one hundred fifty feet (150') shall be maintained between paths. Parking lots less than one hundred fifty feet (150') wide or long are exempt from this requirement:

Staff: This is a proposal for a Public Utility Facility where little or no vehicular traffic is expected. The proposed parking area is less than 150' wide and long therefore exempt from this requirement.

- **BCRC 12-453.D. Parking Location Guidelines-** New developments are encouraged to locate parking areas to the side or rear of buildings. For large sites (more than 2 acres), developments are encouraged to limit parking areas to no more than fifty percent (50%) of the lot frontage (other areas may be buildings and/or open space)

Staff: This is a proposal for a Public Utility Facility where little or no vehicular traffic is expected. As per BCRC 12-4.3 Parking Standards, there are no parking requirements for the proposed use and thus, no parking location requirements either.

- **BCRC 12-453.E. Main Building Entry Standards for Commercial Uses-** Accessory building entrances, service only entrances and secondary residence entrances are exempted from this requirement:

Staff: This is a request for a Public Utility Facility; listed in the Public Use Table. This standard does not apply to this project.

- **BCRC 12-453.F. Lighting Standards:** Lighting shall be directed downward to the intended area to be lighted. All exterior lighting fixtures shall incorporate cutoff shields to prevent spillover into residential areas. Broadcast lighting fixtures that project lighting outward rather than downward are discouraged. Outdoor lighting shall be arranged so that the light is directed downward and away from adjoining properties. Temporary high intensity construction lights should be oriented so as to reduce or eliminate glare onto adjoining properties.

Staff: Exterior lighting has been proposed as part of this project. The lighting is proposed to be attached to maintenance buildings. All lighting shall be directed downward to the intended area to be lit.

- **BCRC 12-453.G. Blank Wall Treatment Standards:** Untreated "blank walls", as defined in section [12-802](#) of this title, adjacent to a street or customer/resident parking areas are prohibited. **See Conditions of Approval**

Staff: This is a proposal for a Public Utility Facility. This standard does not apply to this project.

- **BCRC 12-453.H. Maximum Building Width:** For all building facades adjacent to a street or customer/resident parking areas, the maximum building width shall be one hundred twenty feet (120')

Staff: The width of the proposed buildings are less than 120 feet. The proposal meets these standards.

- **BCRC 12-453.I. Recreational Space for Multi-family Developments**

Staff: This is a proposal for a Public Utility Facility. These standards do not apply to this project.

- **BCRC 12-453.J. Outdoor Storage-** Outdoor storage of commercial and industrial materials:

Staff: No outdoor storage is proposed as part of this application. These standards do not apply to this project.

- **BCRC 12-453.K. Solid Waste, Recycling Collection Areas-** All solid waste and recycling collection areas for commercial, industrial and multi-family residential uses:

Staff: This is a proposal for a Public Utility Facility. These standards do not apply to this project.

BCRC 12-4.6, Landscaping and screening standards:

BCRC 12-461: This standard is only applicable for new development in the commercial, industrial and rural service center districts and all other commercial, multi-family, public and industrial development in other districts unless otherwise noted.

BCRC 12-465(B)(2): The planning director may allow exceptions to the width and type of landscaping buffer requirements where it can be successfully demonstrated by the landowner or landowner's design professional that the buffer is not needed for privacy to and from current or future adjacent uses due to unique natural conditions on the site. This can include slopes, rock outcroppings or existing native vegetation.

Staff: The applicant has proposed leaving existing trees on the property. These trees appear to exceed the landscaping buffering requirements of the code. Therefore, according to BCRC 12-465(B)(2) this proposal is exempt from landscaping requirements.

BCRC 12-7.2, Grading, stormwater management and erosion control

BCRC 12-720.2 Applicability

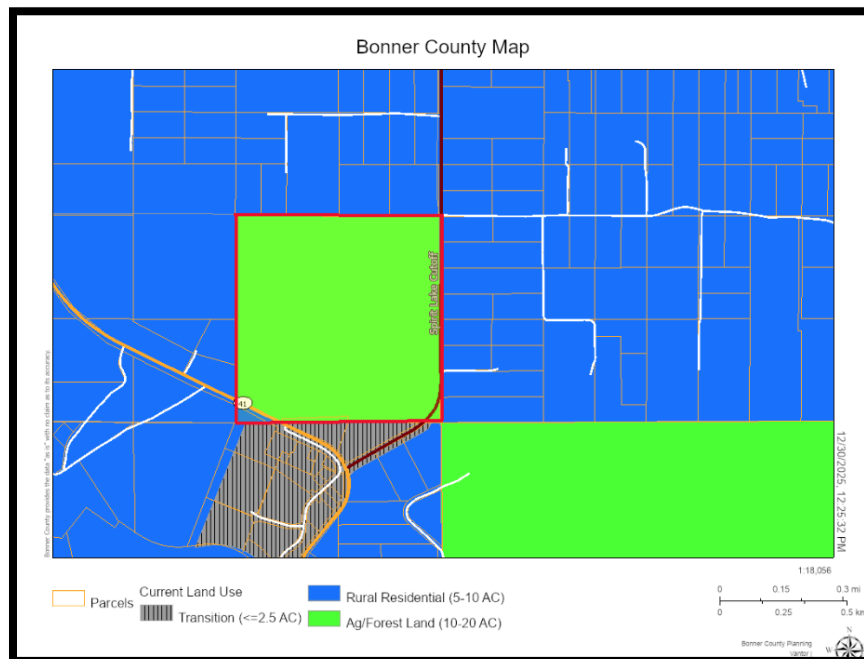
The provisions of this subchapter shall be applicable:

BCRC 12-720.2 All public projects, including road construction, undertaken by Bonner County, or undertaken by any other political subdivision of the state of Idaho or public agency over which Bonner County asserts jurisdiction through this title and title 11 of this code, as amended.

Staff: A stormwater management plan will be required, pursuant to BCRC 12-720.2(C) **See Conditions of Approval**

G. Comprehensive Plan Land Use Designation:

Ag/Forest Land:



Ag/Forest Land: The Ag/Forest Land designation recognizes areas where steeper slopes prevail (30% or greater) and transportation is provided by private roads or U.S. Forest Service or state roads. Urban services are not available and residential development challenges are present due to slope, poor soil conditions, hazards areas and lack of police or fire services.

Comprehensive Plan Analysis:

Property Rights

Policies:

1. Follow the attorney general's checklist, prescribed at Idaho Code §67-8003 and provided in the "Property Rights" component of the county's comprehensive plan, for all land use decisions.
2. Adopt a reasoned statement and conclusions of law, in accordance with Idaho Code 67-6535, for all quasi-judicial land use decisions that reflect the justifications for exactions, conditions and restrictions and confirm that a taking of private property has not occurred.
3. In all land use decisions, consider the property rights of the applicant, adjoining and nearby landowners and future generations, as well as the short-term and long-term consequences of decisions.
4. Review all rezoning requests (down-zoning and up-zoning) pursuant to the Idaho State Code, Title 67, Chapter 65 – Local Land Use Planning Act. The approval of conditional rezoning or denial of a request for rezoning is subject to the regulatory taking analysis provided for by Idaho Code Section 67-8003.

Staff: Upholding property rights and complying with Idaho state law the above policies allows the governing body to make informed, fair, and legally sound land use decisions that protect property rights.

Population**Policies:**

1. Regularly analyze population projections to determine if changes need to be made to the Comprehensive Plan Goals, Objectives and Policies and/or the Zoning Ordinance, to ensure that the public and community needs are being met through land use decisions.
2. Use population forecasts and census data to evaluate housing and impacts to the transportation system and other county services.
3. Cooperate with incorporated cities and neighboring counties to address growth challenges within the Areas of Impact and coordinate planning efforts to the extent possible.

Staff: The 2020 census placed Bonner County's population at 47,110. Bonner County, established in 1907, now has over 100 years of population data. The county grew by fewer than 2,000 people over the first 60 years of its existence. Between 1990 and 2000, Bonner County increased in population by 38.4 percent, but by the 2010 census, the growth slowed to an 11 percent increase over 10 years. From 2010 to 2020 the population grew by 13 percent and the estimated increase from 2020 to 2021 was 3.4 percent or 49,491.

School Facilities and Transportation

Policies:

1. Current data regarding school capacity and transportation issues as provided by the School Districts will be included in the assessment of all land use proposals.
2. Consider the impacts of land use proposals on the school service and seek mitigation from developers such as providing facilities, safety features, or other measures as permitted by Idaho Code, to address the impacts of the proposals.
3. Encourage school districts to proactively review development applications to determine particular school needs and concerns.
4. Encourage construction of trails and bicycle paths to allow safe passage of students to and from schools.
5. Consider the long-term consequences of land use proposals, including the adequacy of existing school facilities, transportation services, and the siting of future schools.

Staff: West Bonner School District #83 and School Transportation that serves the properties, were notified of the Public Utility Facility. West Bonner School District did not comment as to how an increase in density and development could impact on the district's ability to provide adequate school services (and facilities) for new and existing students. The Transportation department did not provide a comment. Bonner County currently assesses property taxes; a portion of that revenue goes to the school's general fund. This project does not appear to be in conflict with these policies.

Economic Development

Policies:

1. Allow small scale cottage businesses and home occupations in all areas of the county. Set reasonable conditions on such uses to minimize adverse impacts to the neighborhood based on factors including, but not limited to, hours of operation and traffic volume generated by the business.
2. Develop land use regulations to allow the county's agricultural heritage to be maintained by enabling local food production, distribution, congregation, and retail sales. Examples include community gardens, school gardens, farm related education programs, farmers or public markets, and other small-scale, collaborative initiatives.
3. Develop standards for commercial and industrial development that are appropriate for the surrounding community, including: appropriate site sizes, use types, buffering and design standards that encourage both attractive and efficient function while protecting the environment.

4. Mitigate the potential impacts of economic development activities that cause adverse factors such as noise, light glare, odors, fumes and vibrations on the surrounding community.
5. Support local economic development by increasing support for outdoor recreation in the county. Encourage and protect public access to public lands and water, while protecting the surrounding areas from adverse impacts through mitigation and standards.
6. Allow for campgrounds and recreational uses while protecting the surrounding areas from adverse impacts through mitigation and standards.
7. Support local businesses by enabling development of workforce housing in proximity to commercial, industrial, agricultural, and recreational uses, through review and updating of land use regulations.

Staff: Bonner County's land use regulations provide a comprehensive framework that supports small-scale businesses, preserves agricultural heritage, promotes sustainable development, and facilitates the integration of employee housing with commercial, industrial, and agricultural uses. The county's approach balances the needs of diverse land uses while addressing potential impacts on the community and environment, fostering a vibrant and sustainable future for its residents. This use does not appear to be in conflict of this component.

Land Use

Policies:

1. Develop and maintain a Future Land Use Map and Land Use Regulations that acknowledge and preserve the County's agricultural, timber and mining lands, water and wildlife resources, and identify and avoid hazard areas. Provide areas for economic growth, encourage affordable housing and center growth in areas where adequate public and private services can be provided.
2. Encourage clustered development for medium and large scale commercial and industrial uses.
3. Commercial and industrial uses should be located and operated in a manner to ensure the protection of our natural resources including clean air and water, dark skies, and overall environmental quality and rural character of the county.
4. Reflect in the use tables that commercial and industrial uses should be unconditionally permitted in areas identified by the Comprehensive Plan as suitable and zoned for those uses. Evaluation of suitability should be based on availability of urban services, adequate access to hard surfaced publicly maintained roads and other factors that may impact the surrounding community.
5. Reflect in the use tables that commercial and industrial uses may be conditionally permitted in areas not identified for such uses in the Comprehensive Plan if a critical

review of the proposed use determines that with appropriate conditions the use will not adversely impact the surrounding area.

6. Based upon the land use analysis completed in 2025, a sufficient number of residential parcels exist or could be created within current zoning density. Therefore, modification of zoning to provide increased density should be rare.

7. Land use applications should be supported by a review, evaluation, or approval by the applicable state agency for sanitary services.

8. Consider avenues to create incentives for land conservation through zoning and subdivision laws to preserve various significant archaeological, ecological, historical, wildlife, and scenic sites that have been recognized in the county as unique and important to preserve.

9. Minimize the creation of lots that cannot receive the appropriate sanitary services.

10. Maintain the Alpine Village zoning district to provide adequate design and development standards for the high-density recreational community with steep slopes and heavy snowfall at elevations above 3500’.

11. Urban development is better suited in urban areas. Idaho Code 67-6502 (a through m) promotes the health, safety and general welfare of the people of the state. Subsection (f) encourages urban and urban type development within incorporated cities. All nine cities within the county provide or are associated with urban water and sewer systems which allow and depend on higher density to make the services fiscally feasible and sustainable.

12. Due to the wildfire threat in the county, consider evacuation routes when making land use decisions and updating land use code.

13. The mapping of land use designations should have homogeneity with the surrounding area. Areas have specific, individual land use designations which results in homogeneity across the landscape. Islands of different land use designations defy the sense of rural context, especially if the land uses are markedly dissimilar.

14. The land uses describe the general uses and characteristics of each of the map designations. Since the Comprehensive Plan Map covers approximately 1.1 million acres, the map is general in nature, and it is recognized that some areas may have or may lack features and characteristics that cause them to differ somewhat from what is in their land use description. It is not reasonable to expect that every parcel within a land use designation will conform to every detail of the geographic characteristics of the area as a whole.

Staff: The code permits Public Utility Facility as a Conditional Use in areas zoned Rural Residential. The use helps protect natural features of the area like open space and dark skies. The proposed use could help contribute to higher density be

developed within incorporated cities that might add to the affordable housing options in the area. This requested does not appear to be in conflict with the plan.

Natural Resources

Policies:

1. Institute best management practices for waterway setbacks to reduce erosion and sedimentation into waterways.
2. Design development standards that encourage clustered development resulting in the preservation of open space and wildlife habitat.
3. Recognize critical wildlife habitats, as identified by US Fish and Wildlife, and create development standards to protect these areas and mitigate development impacts to these habitats.
4. Protect water quality by creating standards for development in close proximity to shorelines.
5. Provide a copy (physical copy or digital link) of the Lake Assist Guidebook to property owners or their representatives applying for a building location permit on shoreline properties. Make a digital link to the Guidebook available via the Planning Department web page.
6. Implement shoreline development land use regulations that address those areas where the County can enforce such regulations effectively.
7. To the extent of the County's jurisdiction, and consistent with the Clean Water Act, protect delineated wetlands.
8. Identify and protect productive farmland, timberland and mining lands from adverse effects of adjoining developments.

Staff: Bonner County has adopted and implemented regulations that protect waterways and wetlands from pollution, erosion and sedimentation. These measures also protect Bull Trout which is the only mapped critical wildlife in Bonner County. Spirit Lake is not considered a habitat for Bull Trout. The closest mapped area is approximately 12 miles from the proposal.

Hazardous Areas

Policies:

1. Adopt flood mitigation standards that meet or exceed the National Flood Insurance Program minimum requirements.
2. Discourage residential, commercial or industrial development within floodways.
3. Discourage fill within the floodplain.

4. Integrate the county's wildland fire policies and plans into development standards.
5. Identify and discourage developments on excessive slopes with lower density zoning in these areas.
6. Establish regulation and development densities of new development in floodplains. Regulate the location and density of new development in floodplains to reduce the potential for the loss of lives and property in those areas.
7. Land divisions should be designed to reduce exposure to wildland fire and to provide for adequate ingress and egress routes as determined by the applicable Fire Authority Having Jurisdiction.
8. Discourage the issuance of building location permits within areas of excessive slopes, unstable areas and avalanche zones.

Staff: The subject lot are not located within a mapped floodway or flood hazard zone. The parcel does contain mapped slopes of 0-14% grade. According to the Avalanche Hazards map found in the Hazardous Component (p.7) this area is mapped as low avalanche danger. Furthermore, emergency services are provided to this parcel by the Spirit Lake Fire District and Bonner County Sheriff's Department.

Public Services, Facilities and Utilities

Policies:

1. Encourage high-density development to take place within the boundaries of existing sewer and water districts with adequate capacity.
2. Seek comments from existing service providers on their ability to serve future developments without adversely impacting the ability of the utility providers to serve current users.
3. Provide adequate facilities for responsible disposal of solid waste to protect the health and welfare of the public as well as the County's natural resources.
4. New development should be adequately served by fire protection, roads, sanitary services, schools, law enforcement, ambulance, power and emergency services, and other public services as determined by the relevant service provider.
5. Require developers to provide infrastructure, utilities or financial support to offset the capital costs of expansion of services required by the proposed development.
6. Require adequate provisions for future utility services in areas of commercial, industrial, residential or other similar uses.

Staff: This proposal is not for residential development. This proposal is to increase capacity of an existing sewer district. The facility is not expected to have negative impact on other services. Furthermore, the property is afforded emergency services

provided by Bonner County EMS, Bonner County Sheriff's Department, and Spirit Lake Fire District. These agencies were notified of this proposal.

Transportation

Policies:

1. Develop and regularly update a long-term County highway system plan to ensure reasonable levels of service can be maintained in the future, and that needs for future road extensions or transportation corridors are identified as early as possible.
2. Discourage development in areas that are not served by county standard roads or where transportation is inadequate.
3. Future development should not adversely impact the existing County highway system by significantly reducing the quality or level of service or creating hazards or congestion.
4. Roads are encouraged to be built to County Standards and at the expense of the developer.
5. Roads within new development should provide adequate access for fire and emergency vehicles as well as routes of escape.
6. Future access roads should be designed and built to integrate with the State and County systems of roads without overburdening the County highway system.
7. Encourage cluster development to reduce transportation costs, road building and environmental impacts.
8. The county intends for certain intense land use developments to provide hard surfaced roads.
9. Consider bike ways and pedestrian paths in development plans to provide an integrated community County highway system wherever possible.
10. To communicate and work cooperatively with other jurisdictions within the county to ensure the best possible flow of traffic county-wide.

Staff: The parcel adjacent to Highway 41 and Spirit Lake Cutoff. Highway 41 is a state of Idaho owned and maintained right of way. Spirit Lake Cutoff is a Bonner County owned and maintained paved right of way. No new roads are being proposed for public use or dedication.

Recreation

Policies:

1. Develop a waterways and public land access program to preserve and develop access to public recreational lands and waterways. The program should include retaining access parcels that may be acquired from tax sales or private donations.
2. Protect and encourage public and private recreational opportunities as an important asset that supports a key segment of the County's economy.
3. Consider a plan for a system of green belts and pathways (bike and pedestrian) as areas developed, so that a connected system can be developed and preserved. Under no circumstances will the County require recreational access easements on private property as a condition of development. This policy does not preclude providing voluntary incentives to developers in return for recreational access easements.
4. Ensure the public's legal recreational accesses and amenities are not obstructed or adversely impacted by future development.
5. Adverse impacts of recreational development on adjacent neighborhoods should be mitigated.

Staff: The lot is not adjacent to public lands or provides access to public lands for recreational purposes. Current recreational opportunities for the public that are available in Bonner County are expected to remain the same with this request. The proposal does not appear to be in conflict with the policies of this component.

Special Areas or Sites

Policies:

1. Develop a generalized map of the known pre-historic and historic sites so that future developments are aware of special areas of concern and are connected with the historical society and Native American tribes for appropriate preservation and protection.
2. Implement roadside development standards for recognized scenic byways to protect the view sheds.
3. Recognize and address Special areas when development is proposed in these areas.
4. Confirm if historical structures or sites exist within a land use application area, and if identified coordinate with the applicable agency.

Staff: Bonner County has not developed or adopted a map that identifies pre-historic or historic sites. There are adopted scenic byways in the county, however this proposal is not adjacent to one. No agency that was notified of this request indicated any historical structures or sites on this parcel.

Housing

Policies:

1. Enable development of a variety of housing options including manufactured home parks, and tiny home communities located in areas that are compatible with their density.
2. Coordinate with municipalities and private parties to explore solutions for various types of housing projects and developments in areas appropriate for their level of density.
3. Encourage clustering of housing in developments to save on infrastructure and transportation costs through mechanisms such as density bonuses.
4. Provide opportunities for assisted living and group shelters.
5. Enable temporary and seasonal employee labor housing in direct proximity to agricultural, commercial, recreational, and industrial uses or where infrastructure and emergency services support those uses.

Staff: This proposal could contribute to a variety of housing types and densities in the area. However, the proposal will not directly add to housing inventory in the county.

Community Design

Policies:

1. To promote and preserve the natural features and rural atmosphere of the community, enact development standards that address development within scenic byways and design standards that account for waterfront setbacks, commercial and industrial landscaping, requirements for reduced lighting, cluster development, rural rather than urban setback standards, and other design objectives aimed at preserving the rural, natural character of the community.
2. Allow unique and flexible design standards such that new development within older neighborhoods and historic settlements is compatible with those unique neighborhoods.
3. Allow particularized design standards to address the unique environmental conditions of waterfront and mountaintop developments which may differ from standard design objectives.
4. Locate new development in areas with similar densities and compatible uses.
5. The adverse impacts of new development on adjacent areas should be minimized.

6. Consider the protection of natural resources, rural features and surrounding uses of the community in the design and location of new development.

Staff: The Public Utility Facility could add design flexibility to future developments. Currently the proposal is adjacent to other public, industrial and commercial uses.

Agriculture

Policies:

1. Continue allowing residential uses consistent with the allowable density in Agricultural zoning districts.
2. Protect agricultural uses and activities from land use conflicts or interference created by residential, commercial or industrial development
3. Enable farm-based family businesses on agricultural parcels with land use regulations. Examples include farm stands and other agri-business pursuits.
4. The County acknowledges the provisions of Idaho State's Right to Farm Act. Those shall be considered in the land use decisions.
5. Support the local economy by encouraging production, distribution, and retail sales of locally grown food and other agricultural products.
6. Protect environmental quality so that agriculture continues to be a viable use in the County.

Staff: The property is not in an agricultural zone; however, the proposal will create a 70-acre crop area and maintain an existing 32 acres timber area. These areas will be used as land application areas. Though this use is not anticipated to be used for harvesting it will be maintaining large acreage from development.

Planner's Initials: DB **Date:** August 13, 2026

Note: The final decision rests with the governing body after the completion of the public hearing and consideration of all relevant oral and written testimony and evidence.

Zoning Commission voted unanimously to deny this request, Vote 5-0.

Motion by the governing body:

BOARD OF COUNTY COMMISSIONERS

Motion to Uphold: I, Commissioner (insert name) move to uphold the Zoning Commission's decision, and deny this project, FILE CUP0007-25, for a Public Utility Facility, located in Section 30, Township 54 North, Range 4 West, Boise Meridian, finding that it is in accord with the Bonner County Revised Code as enumerated in the following conclusions of law:

Conclusion 1

The proposed conditional use permit **is / is not** in conflict with the policies of the Comprehensive Plan.

Conclusion 2

This proposal was reviewed for compliance with the criteria and standards set forth in BCRC Title 12 - Chapter 3, Subchapter 3.3; Subchapter 3.4, Chapter 4, Subchapter 4.2, 4.3, 4.4, 4.5 and 4.6; Chapter 7, Subchapter 7.2 Bonner County Revised Code, and **was / was not** found to be in compliance.

Conclusion 3

The proposed use **will / will not** create a hazard and **will / will not** be dangerous to persons on or adjacent to the property.

This decision is based upon the evidence submitted up to the time the Staff Report was prepared and testimony received at this hearing. I further move to adopt the reasoned statement as discussed in deliberation at this hearing and the analysis as set forth in the Staff Report (or as amended during this hearing) and direct planning staff to draft the reasoned statement to reflect this motion as set forth in Idaho Code section 67-6535, have the Chair sign, and transmit to all interested parties. This action does not result in a taking of private property. The action that could be taken to obtain the approval of the Conditional Use Permit is to complete the Conditions of Approval as adopted.

- 1) File a new application with the Planning Department and meet the standards required by Bonner County Revised Code; or
- 2) Appeal the decision to the County Commissioners.

Motion to Reverse Decision: I, Commissioner (insert name), move to reverse the decision of the Zoning Commission's, and approve this project, FILE CUP0007-25, for a Public Utility Facility, located in Section 30, Township 54 North, Range 4 West, Boise Meridian, based upon the following conclusions:

Conclusion 1

The proposed conditional use permit **is not** in conflict with the policies of the Comprehensive Plan.

Conclusion 2

This proposal was reviewed for compliance with the criteria and standards set forth in BCRC Chapter 3, Subchapter 3.3, Subchapter 3.4 BCRC Chapter 4, Subchapter 4.2, 4.3, 4.4, 4.5 and 4.6 Title 12, Chapter 7, Subchapter 7.2, Title 12, Bonner County Revised Code and **was** found to be in compliance.

Conclusion 3

The proposed use **will not** create a hazard and **will not** be dangerous to persons on or adjacent to the property.

This decision is based upon the evidence submitted up to the time the Staff Report was prepared, and testimony received at this hearing. I further move to adopt the reasoned statement as discussed in deliberation at this hearing and the analysis as set forth in the Staff Report (or as amended during this hearing) and direct planning staff to draft the reasoned statement to reflect this motion as set forth in Idaho Code section 67-6535, have the Chair sign, and transmit to all interested parties. This action does not result in a taking of private property. The action that could be taken, if any, to obtain the Conditional Use Permit is to:

1. Complete the Conditions of Approval as adopted by this decision.

Conditions of approval:

Standard continuing permit conditions. To be met for the life of the use:

- A-1** The use shall be developed and shall be operated in accordance with the approved site plan.
- A-2** The Conditional Use Permit shall not supersede deed restrictions.
- A-3** All county setbacks shall be met.
- A-4** The Conditional Use Permit shall expire if not issued within two (2) calendar years from the date of approval, or once issued, if the use has not commenced within two (2) calendar years from the date of issuance. At any time prior to the expiration date of the Conditional Use Permit, the applicant may make a written request to the Planning Director for an extension of the Conditional Use Permit for a period up to two (2) years. The Planning and Zoning Commission may consider such request for extension at any public hearing. The extension request must be approved or denied prior to the expiration date of the Conditional Use Permit.
- A-6** The applicant shall follow BCRC 12-335 Public Use Table standards for public utility facilities as found in this staff report.

- A-7** The applicant shall follow BCRC 12-4.3, Parking standards as found in this staff report.
- A-8** The applicant shall follow BCRC 12-4.4, Sign Standards as found in this staff report.
- A-9** The applicant shall follow BCRC 12-4.5, Design Standards as found in this staff report.
- A-10** The applicant shall follow BCRC 12-4.6, Landscaping and Screening Standards as found in this staff report.
- A-11** The applicant shall obtain Building Location Permits for all structures.
- A-12** The applicant shall submit a grading, stormwater management and erosion control plan in conformance with BCRC 12-7.2
- A-13** The applicant shall follow BCRC 12-453(F) lighting standards as found in this staff report.

The complete file is available for review in the Planning Department, 1500 Highway 2, Suite #208, Sandpoint, ID. Staff reports are available at www.bonnercountyid.gov prior to the scheduled hearing. Bonner County Revised Code (BCRC) is available at the Planning Department or online.

Appendix A- Agency Noticing

RECORD OF MAILING

Page 1 of 1

File Number: File CUP0007-25

Record of Mailing Approved By: D.Britt

Hearing Date: 2.26.26

I hereby certify that a true and correct copy of the "Notice of Public Hearing" was digitally transmitted on this **26th** day of **December 2025**.

A handwritten signature in blue ink that reads "Jeannie L. Welter". The signature is written in a cursive style and is positioned above a horizontal line.

Jeannie Welter, Systems Technician

City of Spirit Lake - Email

RECORD OF MAILING

Page 1 of 1

File Number: **CUP0007-25**

Record of Mailing Approved By: D.Britt

Hearing Date: **2.26.26**

I hereby certify that a true and correct copy of the "Notice of Public Hearing" was digitally transmitted or mailed (postage prepaid) on this **20th** day of **January 2026**.



Jeannie Welter, Systems Technician

Assessor - Email

Bay Drive Recreation District - Email

Bonner County Airport Manager - Email

Bonner County EMS - Email

Bonner County Road & Bridge - Email

Bottle Bay Water & Sewer District - Email

City of Dover - Email

City of Hope - Email

City of Oldtown - Email

City of Priest River - Email

City of Spirit Lake - Email

Coolin-Cavanaugh Bay Fire District - Email

East Bonner Library - Email

Ellisport Bay Sewer - Email

GEM STATE MINER - U.S. Mail

Idaho Department of Environmental Quality (DEQ) - Email

Idaho Department of Lands - CDA - U.S. Mail

Idaho Department of Lands - Navigable Waters & Mining - Email

Idaho Department of Water Resources - IDWR - Email

Idaho Transportation Department- District I - Email

Kalispel Bay Sewer & Water - U.S. Mail

KPBX-FM 91 SPOKANE PUBLIC RADIO - U.S. Mail

Laclede Water District - Email

Lake Pend Oreille School District, #84 (Transportation) - Email

Little Blacktail Ranch Water Association - U.S. Mail

Northern Lights, Inc. - Email

Northside Fire District - Email

Panhandle Health District - Email

Priest Lake Public Library District - Email

Sagle Valley Water & Sewer - Email

Schweitzer Fire District - Email

Selkirk Fire, Rescue & EMS - Email

Southside Water & Sewer District - Email

Spokesman-Review - U.S. Mail

Swan Shores Sewer District - U.S. Mail

Tamarack Village Water & Sewer - U.S. Mail

Trestle Creek Sewer District - Email

U.S. Fish & Wildlife Service - Email

West Bonner County Cemetery District - Email

West Bonner Library - Email

West Pend Oreille Fire District - Email

Avista Utilities - Email

Bayview Water & Sewer - Email

BONNER COUNTY DAILY BEE - U.S. Mail

Bonner County Floodplain Review - Email

Bonner County Sheriff - Email

City of Clark Fork - Email

City of East Hope - Email

City of Kootenai - Email

City of Ponderay - Email

City of Sandpoint - Email

Coolin Sewer District - Email

Drainage District #7 - Email

East Priest Lake Fire District - Email

Garfield Bay Water & Sewer District - Email

Granite Reeder Water & Sewer District - Email

Idaho Department of Fish & Game - Email

Idaho Department of Lands - Coolin - Email

Idaho Department of Lands - Sandpoint - Email

Idaho Transportation Department (Aeronautics) - U.S. Mail

Independent Highway District - Email

Kootenai-Ponderay Sewer District - Email

KSPT-KPND-KIBR RADIO - U.S. Mail

Lake Pend Oreille School District, #84 (Admin Office) - Email

Lakeland Joint School District, #272 - Email

North of the Narrows Fire District - Email

Northland/Vyve Cable Television - Email

Outlet Bay Sewer District - Email

Pend Oreille Hospital District - Email

Priest Lake Translator District - Email

Sam Owen Fire District - Email

SELKIRK ASSOCIATION OF REALTORS - U.S. Mail

Selkirk Recreation District - Email

Spirit Lake Fire District - Email

Historical Society - Email

Syringa Heights Water Association - Email

Timber Lake Fire District - Email

U.S. Army Corps of Engineers - Email

U.S. Forest Service - U.S. Mail

West Bonner County School District, #83 - Email

West Bonner Water & Sewer District - Email

West Priest Lake Fire District - Email

Record of Mailing Property Owners within 300 Feet

Page 1 of 1

File Number: **CUP0007-25**

Record of Mailing Approved By: D. Britt

Hearing Date: **2.26.26**

I hereby certify that a true and correct copy of the "Notice of Public Hearing" was digitally transmitted or mailed (postage prepaid) on this **20th** day of **January 2026**.



Jeannie Welter, Systems Technician

Pin	Owner	Address Not Provided	City	State	Zip
RP003120000120A	Kunishige, Christopher & Tina	Po Box 112	Spirit Lake Dalton	ID	83869
RP020410000010A	4 Industrial Park Ave Llc	1671 E Canfield Ave	Gardens	ID	83815
RP0031200014A0A	Blacktail Storage Llc	3244 N Callary St	Post Falls	ID	83854
RP014460000030A	Vangemert, Dean E & Linda A	122 Gunner Ln	Spirit Lake	ID	83869
RP54N04W296200A	Reiswig, Kenneth Wilkerson-Reiswig, Betty M	Po Box 1283	Spirit Lake	ID	83869
RP54N04W296150A	Ingram, Aaron	Po Box 820	Spirit Lake	ID	83869
RP54N04W294000A	Western High Lands Inc Topp, Edward	45 Krupps Rd	Spirit Lake	ID	83869
RP54N04W312400A	City Of Spirit Lake	Po Box 309	Spirit Lake	ID	83869
RP54N04W304501A	Stimson Lumber Co	9400 Sw Barnes Rd Ste 530	Portland	OR	97225
RP014460000020A	Newton, Marvin Iii Cromeenes, Cheryl	14101 162nd Pl Ne	Arlington	WA	98223
RP020410000020A	21904 Highway 41 Llc	C/o Po Box 1308	Lewiston	ID	83501
RP54N04W301201A	Vangemert, Dean Eric & Linda A Johnson, Michael & Shelly	316 St Germaine Rd	Spirit Lake	ID	83869
RP54N04W295700A	Dahlstrom, Gregory M & Connie	Po Box 3461	Post Falls	ID	83877
RP54N04W306900A	Bonner County	1500 Hwy 2 - Ste 304	Sandpoint	ID	83864
RP003120000130A	Rutherford, Dorothy	241 Cavanuagh Bay Rd	Coolin	ID	83821- 6001
RP54N04W296250A	Steinbrenner, Craig & Erin E	Po Box 1332	Spirit Lake	ID	83869- 1332
RP014470000020A	Osborne, Tena R	768 Spirit Lake Cut Off	Spirit Lake	ID	83869- 9670
RP54N04W307201A	City Of Spirit Lake	Po Box 309	Spirit Lake	ID	83869
RP014220000040A	Metling Family Trust	51 La Luna Ln	Spirit Lake	ID	83869
RP54N04W295630A	Reed, Robert D & Tonya D	Po Box 392	Spirit Lake	ID	83869
RP014470000010A	Roman, Nicholas J	Po Box 963	Spirit Lake	ID	83869
RP54N04W296500A	Ochoa, Alfred J & Helen D	18706 S Clodfelter Rd 527 Spirit Lake Cutoff	Kennewick	WA	99338
RP014430010010A	Doggett, Troy Jr & Misty	Rd	Spirit Lake Otis	ID	83869
RP014220000030A	Duprey, Michael L Duprey, Renee C & Lawrence J	5406 N Ormond Rd	Orchards	WA	99027
RP54N04W310602A	Kelly, Josh M & Emily A	21111 Hwy 41	Spirit Lake	ID	83869
RP54N04W296300A	Comstock, Cynthia L Comstock, Jesse James Comstock, Seanna M	Po Box 1466	Spirit Lake	ID	83869
RP014270030010A	Spirit Valley Christian Fellowship Owens, Clyde Jr Pastor	Po Box 750	Spirit Lake	ID	83869
RP012420010010A	Fellowship	Po Box 993	Spirit Lake	ID	83869
RP54N04W320001A	Eastmond, John Brett & Nicole	Address Not Provided			
	State Of Idaho Department Of Lands	6042 West Maine St.	Spirit Lake	ID	83869
Project Rep	Kevin Koesel	600 4th St. West	Newport	WA	99156

Appendix B- Agency Comment



Jeannie Welter <jeannie.welter@bonnercountyid.gov>

[EXT SENDER] RE: Bonner County Planning - File CUP0007-25 Agency Review

1 message

Horsmon, Merritt <merritt.horsmon@idfg.idaho.gov>
To: Jeannie Welter <jeannie.welter@bonnercountyid.gov>

Fri, Feb 6, 2026 at 1:23 PM

Hi Jeannie,

The Idaho Department of Fish and Game does not have any comments to submit for this application.

Thank you for the opportunity to review and comment,

Merritt Horsmon

Regional Technical Assistance Manager

Panhandle Region

2885 W. Kathleen Ave.

[Coeur d'Alene, ID 83815](#)

208.769.1414 office

208.251.4509 mobile

merritt.horsmon@idfg.idaho.gov



From: Jeannie Welter <jeannie.welter@bonnercountyid.gov>

Sent: Tuesday, January 20, 2026 8:59 AM

To: Alan Brinkmeier <alan.brinkmeier@bonnercountyid.gov>; Amber Burgess <clerk@ebsewerdistrict.com>; Army Corps of Engineers <CENWW-RD-CDA@usace.army.mil>; Avista Copr - Jay West <jay.west@avistacorp.com>; Avista Corp - Peggy George <peggy.george@avistacorp.com>; Becky Meyer <becky.meyer@lposd.org>; Bill Berg <billb@bbsewer.org>; Bonner County Assessors <assessorsgroup@bonnercountyid.gov>; BONNER COUNTY HISTORICAL SOCIETY AND MUSEUM <DIRECTOR@bonnercountyhistory.org>; Bonner County Solid Waste <solidwaste@bonnercountyid.gov>;

Bonnie Schademan <bonnies@inlandpower.com>; Brenna Garro <Brenna.Garro@oer.idaho.gov>; Bryan Quayle <quaylelanduseconsulting@gmail.com>; Carrol Stejer <CASTEJER@gmail.com>; charityhinshaw@sd83.org; Chief Debbie Carpenter <chief@spirittlakefire.com>; City of Clark Fork <city@clarkforkidaho.gov>; City of Clark Fork <CityClerk1@clarkforkidaho.gov>; City of Dover <cityclerk@cityofdoveridaho.org>; City of East Hope Franck <easthope.city@gmail.com>; City of Hope <hopecityclerk@gmail.com>; City of Kootenai <cityclerk@cityofkootenai.org>; City of Oldtown <cityofoldtown@hotmail.com>; City of Sandpoint Planning <cityplanning@sandpointidaho.gov>; cityclerk@spirittlakeid.gov; Colleen Johnson <CJohnson@kootenaiponderaysewerdistrict.org>; Craig Hill <craighill@hillsresort.com>; D1Permits <D1Permits@itd.idaho.gov>; dbrown@idl.idaho.gov; Dan Scholz <dan.scholz@nli.coop>; Dave Schuck <dave.schuck@bonnercountyid.gov>; David LaTourette <coolinfirechief@gmail.com>; David LaTourette <Coolinfldchief@gmail.com>; Dean Davis <deandavis@sd83.org>; East Bonner Library <Amanda@ebonnerlibrary.org>; East Priest Lake Fire District <eastpriestlakefd@gmail.com>; Erik Sjoquist <esjoquist@idl.idaho.gov>; Federal Aviation Administration <Heather.pate@faa.gov>; Frankie Dunn <Frankiejdunn@hotmail.com>; Fritz Broschet <outletbaysewer@gmail.com>; Garfield Bay Water and Sewer District Clerk <garfieldbaywsd@hotmail.com>; Gavin Gilcrease <ggilcrease@sandpointidaho.gov>; Dan Everhart <Dan.Everhart@ishs.idaho.gov>; DEQ Comments <deqcomments@deq.idaho.gov>; Independent Hwy Dist - Julie Bishop <ihdclerk@gmail.com>; Robert Beachler <robert.beachler@itd.idaho.gov>; ITD - Stacy Simkins <stacy.simkins@itd.idaho.gov>; Jack Schenck <Jack.schenck@vyvebb.com>; Jake Gabell <jgabell@priestriver-id.gov>; Janice Best <janicesb@televar.com>; Jason Johnson <jason.johnson@bonnercountyid.gov>; Jason Kimberling <jason.kimberling@itd.idaho.gov>; Jeff Lindsey <jeff.lindsey@bonnercountyid.gov>; Jessie Roe <BWSD637@gmail.com>; joekren@sd83.org; Jordan Brooks <coolinsewer@gmail.com>; KayLeigh Miller <klmiller@ponderay.org>; kbsd sewer <kbsdpl@hotmail.com>; Ken Flint <ken_flint@tcenergy.com>; Kenny Huston <kenny.huston@oer.idaho.gov>; Kim Hoodenpyle <kjh5345@gmail.com>; Kim Spacek <kimspacek@sd83.org>; Kimberly Hobson <Kimberly.Hobson@itd.idaho.gov>; Laclede Water District <info@lacledewaterdistrict.org>; Lakeland Joint School District #272 <cpursley@lakeland272.org>; Lisa Rosa <hr@ebonnerlibrary.org>; Bates, Luke <Luke.Bates@idwr.idaho.gov>; Matt Diel <matt.diel@lposd.org>; Horsmon, Merritt <merritt.horsmon@idfg.idaho.gov>; Midas Water <midaswatercorp@gmail.com>; Mike Ahmer <mahmer@idl.idaho.gov>; Mike Schacht <firedept@clarkforkidaho.gov>; Natural Resource Conservation Service - Greg Becker <greg.becker@id.usda.gov>; Navy - Glynis Casey <glynis.casey@navy.mil>; North of the Narrows Fire District <northofthenarrowsfire@gmail.com>; Northern Info <northerninfo@idwr.idaho.gov>; Northern Lights <kristin.mettke@nli.coop>; Northern Lights - Clint Brewing <clint.brewington@nli.coop>; Northside Water and Syringa Heights Water Association <allwater49@outlook.com>; Oden Water Association - Carla Poelstra <odenwater@gmail.com>; Pend Oreille Hospital District <kim.kichenmaster@bonnergeneral.org>; PHD <EApplications@phd1.idaho.gov>; Priest Lake Public Library District <plplibrary@hotmail.com>; Richard Hash <Rich.hash2022@gmail.com>; Road & Bridge - Matt Mulder <matt.mulder@bonnercountyid.gov>; Ryan Zandhuisen <rzandhuisen@idl.idaho.gov>; Sagle Valley Water and Sewer District <saglewatersewer@gmail.com>; Sagle Valley Water & Sewer District <markc@smartplugs.com>; Sam Owen Fire Rescue Sam Owen Fire Rescue <sofd@wow-tel.net>; Sam Ross <sam.ross@nli.coop>; Sarah Gilmore <sgilmore@sandpointidaho.gov>; School District 84 Transportation - James Koehler <james.koehler@lposd.org>; SCHWEITZER FIRE DISTRICT <SchweitzerFireDistrict@gmail.com>; Selkirk Association of Realtors <danielle@selkirkaor.com>; Selkirk Recreation District <elgar@whoi.edu>; Sheryl Austin <granitereeder@gmail.com>; SOURDOUGH POINT OWNERS ASSOCIATION <sourdoughpoint@hotmail.com>; Southside Water and Sewer <southsidewaterandsewer@swsdidaho.org>; Steve Elgar <selgar@mac.com>; Superintendent School Dist 84 <kelly.fisher@lposd.org>; Symone.legg@itd.idaho.gov; Tammy Miller <tmiller@selkirkfire.com>; Tammy Miller <tmiller@selkirkfire.us>; TC Energy / TransCanada <US_crossings@tcenergy.com>; Teresa Decker <Huckleberryhoa@gmail.com>; Teresa Decker <huckbayutilities01@gmail.com>; Teresa Zamora <utilities@stoneridgeidaho.com>; Theresa Wheat <theresa@kootenai.org>; Tim Ventress <chventresswplvfd@hotmail.com>; Timberlake Fire District <Kwright@timberlakefire.com>; Tom Renzi <epifdchief@gmail.com>; US Fish & Wildlife Services <fw1idahoconsultationrequests@fws.gov>; meagan <meagan@westbonnerlibrary.org>; West Pend Oreille Fire District <wpofd1@gmail.com>

Cc: kkoesel@jasewell.com; Daniel Britt <daniel.britt@bonnercountyid.gov>

Subject: Bonner County Planning - File CUP0007-25 Agency Review

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

The above-named application has been submitted to the Bonner County Planning Department for processing.

Please review the application relative to your agency's area of expertise and include any recommended conditions of approval and supporting code sections. Please see attached for details.

Thanks and have a wonderful day!

Jeannie Welter

Bonner County Planning Department

Systems Technician

208-265-1458

Now Live: Apply for Your Building Location Permit Online!

We're making building easier! You can now apply for your **Building Location Permit** quickly and securely through our **new citizen online portal**, available 24/7 from the comfort of your home or office. You can also apply on one of the kiosks provided in the Planning Department office, located in the County Administrative Building, Suite 208.

Fast & easy application process

Track your permit status in real time

Upload documents directly

Visit <https://bonnercountyid-energovweb.tylerhost.net/apps/selfservice#/home> **to get started today!**

Effective July 1, 2025, all Building Location Permits must be applied for through the online citizen portal and we will no longer be accepting applications sent via email or printed paper applications. Have questions? Call 208-265-1458, our team is ready to help.

Build smarter. Apply online.

[Online Application Guide](#)



Jeannie Welter <jeannie.welter@bonnercountyid.gov>

[EXT SENDER] RE: Bonner County Planning - File CUP0007-25 Agency Review

1 message

Bates, Luke <Luke.Bates@idwr.idaho.gov>

Tue, Jan 20, 2026 at 12:06 PM

To: Jeannie Welter <jeannie.welter@bonnercountyid.gov>

Cc: Spencer Humphrey <spencer.humphrey@idwr.idaho.gov>, "Sturgis, Daniel" <Daniel.Sturgis@idwr.idaho.gov>, "Richman, Michelle" <Michelle.Richman@idwr.idaho.gov>

REF: CUP0007-25

TO: Bonner County Planning Department

Good morning,

The proposed Application specifies that the new facility(s) water use shall be supplied by an individual ground water well for 1-2 employees daily and that several monitoring wells shall be constructed to meet IDEQ monitoring requirements for associated land-based treatment system.

Idaho Department of Water Resources (IDWR) – Northern Regional Office **doesn't have any conditional requirements for the proposed project** but offers the following information as education based on planned water use(s):

- If domestic water use from the proposed individual ground water well to meet the 1-2 employee(s) daily use(s) exceeds water uses authorized by Idaho Code §42-111 is anticipated, a new Application for Permit is required, and the City of Spirit Lake needs to contact IDWR to discuss water right requirements. This comment presumes the additional "storage, aeration, disinfection, and distribution to the land application crop" doesn't require diversion of ground water proposed from the new private well; if wastewater treatment requires additional ground water source well pumping a new application for permit may be required.
- All new well construction shall comply with Idaho Code §42-235 and IDAPA 37.03.09 – Well Construction Standards Rules.

Thank you for the opportunity to comment,



Luke Bates – Sr Water Resource Agent

Idaho Department of Water Resources

Northern Regional Office

208-762-2817

7600 N Mineral Dr Suite 100 Coeur D Alene ID 83815-7763

From: Jeannie Welter <jeannie.welter@bonnercountyid.gov>

Sent: Tuesday, January 20, 2026 8:59 AM

To: Alan Brinkmeier <alan.brinkmeier@bonnercountyid.gov>; Amber Burgess <clerk@ebsewerdistrict.com>; Army Corps of Engineers <CENWW-RD-CDA@usace.army.mil>; Avista Copr - Jay West <jay.west@avistacorp.com>; Avista Corp - Peggy George <peggy.george@avistacorp.com>; Becky Meyer <becky.meyer@lposd.org>; Bill Berg <billb@bbsewer.org>; Bonner County Assessors <assessorsgroup@bonnercountyid.gov>; BONNER COUNTY HISTORICAL SOCIETY AND MUSEUM <DIRECTOR@bonnercountyhistory.org>; Bonner County Solid Waste <solidwaste@bonnercountyid.gov>; Bonnie Schademan <bonnies@inlandpower.com>; Brenna Garro <Brenna.Garro@oer.idaho.gov>; Bryan Quayle <quaylelanduseconsulting@gmail.com>; Carrol Stejer <CASTEJER@gmail.com>; charityhinshaw@sd83.org; Chief Debbie Carpenter <chief@spiritleakefire.com>; City of Clark Fork <city@clarkforkidaho.gov>; City of Clark Fork <CityClerk1@clarkforkidaho.gov>; City of Dover <cityclerk@cityofdoveridaho.org>; City of East Hope Franck <easthope.city@gmail.com>; City of Hope <hopecityclerk@gmail.com>; City of Kootenai <cityclerk@cityofkootenai.org>; City of Oldtown <cityofoldtown@hotmail.com>; City of Sandpoint Planning <cityplanning@sandpointidaho.gov>; cityclerk@spiritleakeid.gov; Colleen Johnson <CJohnson@kootenaiponderaysewerdistrict.org>; Craig Hill <craighill@hillsresort.com>; D1Permits <D1Permits@itd.idaho.gov>; dbrown@idl.idaho.gov; Dan Scholz <dan.scholz@nli.coop>; Dave Schuck <dave.schuck@bonnercountyid.gov>; David LaTourette <coolinfirechief@gmail.com>; David LaTourette <Coolinfldchief@gmail.com>; Dean Davis <deandavis@sd83.org>; East Bonner Library <Amanda@ebonnerlibrary.org>; East Priest Lake Fire District <eastpriestlakefd@gmail.com>; Erik Sjoquist <esjoquist@idl.idaho.gov>; Federal Aviation Administration <Heather.pate@faa.gov>; Frankie Dunn <Frankiejduhn@hotmail.com>; Fritz Broschet <outletbaysewer@gmail.com>; Garfield Bay Water and Sewer District Clerk <garfieldbaywsd@hotmail.com>; Gavin Gilcrease <ggilcrease@sandpointidaho.gov>; Dan Everhart <Dan.Everhart@ishs.idaho.gov>; DEQ Comments <deqcomments@deq.idaho.gov>; Independent Hwy Dist - Julie Bishop <ihdclerk@gmail.com>; Robert Beachler <robert.beachler@itd.idaho.gov>; ITD - Stacy Simkins <stacy.simkins@itd.idaho.gov>; Jack Schenck <Jack.schenck@vyvebb.com>; Jake Gabell <jgabell@priestriver-id.gov>; Janice Best <janicesb@televar.com>; Jason Johnson <jason.johnson@bonnercountyid.gov>; Jason Kimberling <jason.kimberling@itd.idaho.gov>; Jeff Lindsey <jeff.lindsey@bonnercountyid.gov>; Jessie Roe <BWSD637@gmail.com>; joekren@sd83.org; Jordan Brooks <coolinsewer@gmail.com>; KayLeigh Miller <klmiller@ponderay.org>; kbsd sewer <kbsdpl@hotmail.com>; Ken Flint <ken_flint@tcenergy.com>; Kenny Huston <kenny.huston@oer.idaho.gov>; Kim Hoodenpyle <kjh5345@gmail.com>; Kim Spacek <kimspacek@sd83.org>; Kimberly Hobson <Kimberly.Hobson@itd.idaho.gov>; Laclede Water District <info@lacedewaterdistrict.org>; Lakeland Joint School District #272 <cpursley@lakeland272.org>; Lisa Rosa <hr@ebonnerlibrary.org>; Bates, Luke <Luke.Bates@idwr.idaho.gov>; Matt Diel <matt.diel@lposd.org>; Horsmon, Merritt <merritt.horsmon@idfg.idaho.gov>; Midas Water <midaswatercorp@gmail.com>; Mike Ahmer <mahmer@idl.idaho.gov>; Mike Schacht <firedept@clarkforkidaho.gov>; Natural Resource Conservation Service - Greg Becker <greg.becker@id.usda.gov>; Navy - Glynis Casey <glynis.casey@navy.mil>; North of the Narrows Fire District <northofthenarrowsfire@gmail.com>; Northern Info <northerninfo@idwr.idaho.gov>; Northern Lights <kristin.mettke@nli.coop>; Northern Lights - Clint Brewing <clint.brewington@nli.coop>; Northside Water and Syringa Heights Water Association <allwater49@outlook.com>; Oden Water Association - Carla Poelstra <odenwater@gmail.com>; Pend Oreille Hospital District <kim.kichenmaster@bonnergeneral.org>; PHD <EHApplications@phd1.idaho.gov>; Priest Lake Public Library District <plplibrary@hotmail.com>; Richard Hash <Rich.hash2022@gmail.com>; Road & Bridge - Matt Mulder <matt.mulder@bonnercountyid.gov>; Ryan Zandhuisen <rzandhuisen@idl.idaho.gov>; Sagle Valley Water and Sewer District <saglewatersewer@gmail.com>; Sagle Valley Water & Sewer District <markc@smartplugs.com>; Sam Owen Fire Rescue Sam Owen Fire Rescue <sofd@wow-tel.net>; Sam Ross <sam.ross@nli.coop>; Sarah Gilmore <sgilmore@sandpointidaho.gov>; School District 84 Transportation - James Koehler <james.koehler@lposd.org>; SCHWEITZER FIRE DISTRICT <SchweitzerFireDistrict@gmail.com>; Selkirk Association of Realtors <danielle@selkirkaor.com>; Selkirk Recreation District <elgar@whoi.edu>; Sheryl Austin <granitereeder@gmail.com>; SOURDOUGH POINT OWNERS ASSOCIATION <sourdoughpoint@hotmail.com>; Southside Water and Sewer <southsidewaterandsewer@swsdidaho.org>; Steve Elgar <selgar@mac.com>; Superintendent School Dist 84 <kelly.fisher@lposd.org>; Symone.legg@itd.idaho.gov; Tammy Miller <tmiller@selkirkfire.com>; Tammy Miller <tmiller@selkirkfire.us>; TC Energy / TransCanada

<US_crossings@tcenergy.com>; Teresa Decker <Huckleberryhoa@gmail.com>; Teresa Decker <huckbayutilities01@gmail.com>; Teresa Zamora <utilities@stoneridgeidaho.com>; Theresa Wheat <theresa@kootenai.org>; Tim Ventress <chventresswplvfd@hotmail.com>; Timberlake Fire District <Kwright@timberlakefire.com>; Tom Renzi <epbfdchief@gmail.com>; US Fish & Wildlife Services <fw1idahoconsultationrequests@fws.gov>; meagan <meagan@westbonnerlibrary.org>; West Pend Oreille Fire District <wpofd1@gmail.com>

Cc: kkoesel@jasewell.com; Daniel Britt <daniel.britt@bonnercountyid.gov>

Subject: Bonner County Planning - File CUP0007-25 Agency Review

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

The above-named application has been submitted to the Bonner County Planning Department for processing.

Please review the application relative to your agency's area of expertise and include any recommended conditions of approval and supporting code sections. Please see attached for details.

Thanks and have a wonderful day!

Jeannie Welter

Bonner County Planning Department

Systems Technician

208-265-1458

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We're making building easier! You can now apply for your **Building Location Permit** quickly and securely through our **new citizen online portal**, available 24/7 from the comfort of your home or office. You can also apply on one of the kiosks provided in the Planning Department office, located in the County Administrative Building, Suite 208.

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Build smarter. Apply online.

[Online Application Guide](#)



image001.png
31K



Jeannie Welter <jeannie.welter@bonnercountyid.gov>

[EXT SENDER] RE: Bonner County Planning - File CUP0007-25 Agency Review

1 message

Robert Beachler <Robert.Beachler@itd.idaho.gov>
 To: Jeannie Welter <jeannie.welter@bonnercountyid.gov>

Wed, Jan 21, 2026 at 12:18 PM

No Comment from the Idaho Transportation Department.

Robert Beachler

District 1 Planning Program Manager

Idaho Transportation Department

600 W. Prairie Ave

Coeur d'Alene, ID 83815

robert.beachler@itd.idaho.gov

(208) 772-1216

Office Hours M-TH 6-4:30

From: Jeannie Welter <jeannie.welter@bonnercountyid.gov>

Sent: Tuesday, January 20, 2026 8:59 AM

To: Alan Brinkmeier <alan.brinkmeier@bonnercountyid.gov>; Amber Burgess <clerk@ebsewerdistrict.com>; Army Corps of Engineers <CENWW-RD-CDA@usace.army.mil>; Avista Copr - Jay West <jay.west@avistacorp.com>; Avista Corp - Peggy George <peggy.george@avistacorp.com>; Becky Meyer <becky.meyer@lposd.org>; Bill Berg <billb@bbsewer.org>; Bonner County Assessors <assessorsgroup@bonnercountyid.gov>; BONNER COUNTY HISTORICAL SOCIETY AND MUSEUM <DIRECTOR@bonnercountyhistory.org>; Bonner County Solid Waste <solidwaste@bonnercountyid.gov>; Bonnie Schademan <bonnies@inlandpower.com>; Brenna Garro <Brenna.Garro@oer.idaho.gov>; Bryan Quayle <quaylelanduseconsulting@gmail.com>; Carrol Stejer <CASTEJER@gmail.com>; Charity Hinshaw <Charityhinshaw@sd83.org>; Chief Debbie Carpenter <chief@spiritleakefire.com>; City of Clark Fork <city@clarkforkidaho.gov>; City of Clark Fork <CityClerk1@clarkforkidaho.gov>; City of Dover <cityclerk@cityofdoveridaho.org>; City of East Hope Franck <easthope.city@gmail.com>; City of Hope <hopecityclerk@gmail.com>; Manda Corbett <cityclerk@cityofkootenai.org>; City of Oldtown <cityofoldtown@hotmail.com>; City of Sandpoint Planning <cityplanning@sandpointidaho.gov>; cityclerk@spiritleakeid.gov; Colleen Johnson <CJohnson@kootenaiponderaysewerdistrict.org>; Craig Hill <craighill@hillsresort.com>; D1Permits <D1Permits@itd.idaho.gov>; Dan Brown <dbrown@idl.idaho.gov>; Dan Scholz <dan.scholz@nli.coop>; Dave Schuck <dave.schuck@bonnercountyid.gov>; David LaTourette <coolinfirechief@gmail.com>; David LaTourette <Coolinfidchief@gmail.com>; Dean Davis <deandavis@sd83.org>; East Bonner Library <Amanda@ebonnerlibrary.org>; East Priest Lake Fire District <eastpriestlakefd@gmail.com>; Erik Sjoquist <esjoquist@idl.idaho.gov>; Federal Aviation Administration

<Heather.pate@faa.gov>; Frankie Dunn <Frankiejduhn@hotmail.com>; Fritz Broschet <outletbaysewer@gmail.com>; Garfield Bay Water and Sewer District Clerk <garfieldbaywsd@hotmail.com>; Gavin Gilcrease <ggilcrease@sandpointidaho.gov>; ID State Historical Society - Dan Everhart <dan.everhart@ishs.idaho.gov>; Idaho Department of Environmental Quality <deqcomments@deq.idaho.gov>; Independent Hwy Dist - Julie Bishop <ihdclerk@gmail.com>; Robert Beachler <Robert.Beachler@itd.idaho.gov>; Stacy Simkins <Stacy.Simkins@itd.idaho.gov>; Jack Schenck <Jack.schenck@vyvebb.com>; Jake Gabell <jgabell@priestriver-id.gov>; Janice Best <janicesb@televar.com>; Jason Johnson <jason.johnson@bonnercountyid.gov>; Jason Kimberling <Jason.Kimberling@itd.idaho.gov>; Jeff Lindsey <jeff.lindsey@bonnercountyid.gov>; Jessie Roe <BWSD637@gmail.com>; Joe Kren <joeKren@sd83.org>; Jordan Brooks <coolinsewer@gmail.com>; KayLeigh Miller <klmiller@ponderay.org>; kbsd sewer <kbsdpl@hotmail.com>; Ken Flint <ken_flint@tcenergy.com>; Kenny Huston <kenny.huston@oer.idaho.gov>; Kim Hoodenpyle <kjh5345@gmail.com>; Kim Spacek <kimspacek@sd83.org>; Kimberly Hobson <Kimberly.Hobson@itd.idaho.gov>; Laclede Water District <info@lacedewaterdistrict.org>; Lakeland Joint School District #272 <cpursley@lakeland272.org>; Lisa Rosa <hr@ebonnerlibrary.org>; Luke Bates <luke.bates@idwr.idaho.gov>; Matt Diel <matt.diel@lposd.org>; Merritt Horsmon <merritt.horsmon@idfg.idaho.gov>; Midas Water <midaswatercorp@gmail.com>; Mike Ahmer <mahmer@idl.idaho.gov>; Mike Schacht <firedept@clarkforkidaho.gov>; Natural Resource Conservation Service - Greg Becker <greg.becker@id.usda.gov>; Navy - Glynis Casey <glynis.casey@navy.mil>; North of the Narrows Fire District <northofthenarrowsfire@gmail.com>; Northern Info <northerninfo@idwr.idaho.gov>; Northern Lights <kristin.mettke@nli.coop>; Northern Lights - Clint Brewing <clint.brewington@nli.coop>; Northside Water and Syringa Heights Water Association <allwater49@outlook.com>; Oden Water Association - Carla Poelstra <odenwater@gmail.com>; Pend Oreille Hospital District <kim.kichenmaster@bonnergeneral.org>; PHD <EHApplications@phd1.idaho.gov>; Priest Lake Public Library District <plplibrary@hotmail.com>; Richard Hash <Rich.hash2022@gmail.com>; Road & Bridge - Matt Mulder <matt.mulder@bonnercountyid.gov>; Ryan Zandhuisen <rzanhuisen@idl.idaho.gov>; Sagle Valley Water and Sewer District <saglewatersewer@gmail.com>; Sagle Valley Water & Sewer District <markc@smartplugs.com>; Sam Owen Fire Rescue Sam Owen Fire Rescue <sofd@wow-tel.net>; Sam Ross <sam.ross@nli.coop>; Sarah Gilmore <sgilmore@sandpointidaho.gov>; School District 84 Transportation - James Koehler <james.koehler@lposd.org>; SCHWEITZER FIRE DISTRICT <SchweitzerFireDistrict@gmail.com>; Selkirk Association of Realtors <danielle@selkirkaor.com>; Selkirk Recreation District <elgar@whoi.edu>; Sheryl Austin <granitereeder@gmail.com>; SOURDOUGH POINT OWNERS ASSOCIATION <sourdoughpoint@hotmail.com>; Southside Water and Sewer <southsidewaterandsewer@swsdidaho.org>; Steve Elgar <selgar@mac.com>; Superintendent School Dist 84 <kelly.fisher@lposd.org>; Symone Legg <Symone.Legg@itd.idaho.gov>; Tammy Miller <tmiller@selkirkfire.com>; Tammy Miller <tmiller@selkirkfire.us>; TC Energy / TransCanada <US_crossings@tcenergy.com>; Teresa Decker <Huckleberryhoa@gmail.com>; Teresa Decker <huckbayutilities01@gmail.com>; Teresa Zamora <utilities@stoneridgeidaho.com>; Theresa Wheat <theresa@kootenai.org>; Tim Ventress <chventresswplvfd@hotmail.com>; Timberlake Fire District <Kwright@timberlakefire.com>; Tom Renzi <epifdchief@gmail.com>; US Fish & Wildlife Services <fw1idahoconsultationrequests@fws.gov>; West Bonner Library <meagan@westbonnerlibrary.org>; West Pend Oreille Fire District <wpofd1@gmail.com>
Cc: kkoesel@jasewell.com; Daniel Britt <daniel.britt@bonnercountyid.gov>
Subject: Bonner County Planning - File CUP0007-25 Agency Review

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Jeannie Welter

Bonner County Planning Department

Systems Technician

208-265-1458

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[Online Application Guide](#)



Jeannie Welter <jeannie.welter@bonnercountyid.gov>

[EXT SENDER] RE: Bonner County Planning - File CUP0007-25 Agency Review

1 message

KPSD Clerk <clerk@kootenaiponderaysewerdistrict.org>
To: jeannie.welter@bonnercountyid.gov

Tue, Jan 20, 2026 at 9:49 AM

Attached is the districts response to the above named file.

Beate Pryor

Clerk - Administrative Assistant
Kootenai-Ponderay Sewer District
511 Whiskey Jack Road Sandpoint, ID 83864
Office Hours: 8:30 am – 5:00 pm, Monday through Thursday
Phone: 208.263.0229

From: Colleen Johnson <CJohnson@kootenaiponderaysewerdistrict.org>
Sent: Tuesday, January 20, 2026 9:17 AM
To: KPSD Clerk <clerk@kootenaiponderaysewerdistrict.org>
Subject: FW: Bonner County Planning - File CUP0007-25 Agency Review

NOTICE OF CHANGE IN HOURS: THE OFFICE WILL BE CLOSED ON FRIDAYS. WE WILL BE OPEN NORMAL HOURS MONDAY THRU THURSDAY.

Colleen Johnson**Business Office Manager****Kootenai-Ponderay Sewer District****208-263-0229 Fax – 208-265-5326 Mobile: 208-304-5820****511 Whiskey Jack Road Sandpoint, Idaho 83864**

P.O. Box 562, Kootenai, ID 83840

“Dance with Life”



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Sent: Tuesday, January 20, 2026 8:59 AM

To: Alan Brinkmeier <alan.brinkmeier@bonnercountyid.gov>; Amber Burgess <clerk@ebsewerdistrict.com>; Army Corps of Engineers <CENWW-RD-CDA@usace.army.mil>; Avista Copr - Jay West <jay.west@avistacorp.com>; Avista Corp - Peggy George <peggy.george@avistacorp.com>; Becky Meyer <becky.meyer@lposd.org>; Bill Berg <billb@bbsewer.org>; Bonner County Assessors <assessorsgroup@bonnercountyid.gov>; BONNER COUNTY HISTORICAL SOCIETY AND MUSEUM <DIRECTOR@bonnercountyhistory.org>; Bonner County Solid Waste <solidwaste@bonnercountyid.gov>; Bonnie Schademan <bonnies@inlandpower.com>; Brenna Garro <Brenna.Garro@oer.idaho.gov>; Bryan Quayle <quaylelanduseconsulting@gmail.com>; Carrol Stejer <CASTEJER@gmail.com>; Charity Hinshaw <Charityhinshaw@sd83.org>; Chief Debbie Carpenter <chief@spiritleakefire.com>; City of Clark Fork <city@clarkforkidaho.gov>; City of Clark Fork <CityClerk1@clarkforkidaho.gov>; City of Dover <cityclerk@cityofdoveridaho.org>; City of East Hope Franck <easthope.city@gmail.com>; City of Hope <hopecityclerk@gmail.com>; City of Kootenai <cityclerk@cityofkootenai.org>; City of Oldtown <cityofoldtown@hotmail.com>; City of Sandpoint Planning <cityplanning@sandpointidaho.gov>; cityclerk@spiritleakeid.gov; Colleen Johnson <CJohnson@kootenaiponderaysewerdistrict.org>; Craig Hill <craighill@hillsresort.com>; D1Permits <D1Permits@itd.idaho.gov>; Dan Brown <dbrown@idl.idaho.gov>; Dan Scholz <dan.scholz@nli.coop>; Dave Schuck <dave.schuck@bonnercountyid.gov>; David LaTourette <coolinfirechief@gmail.com>; David LaTourette <Coolinfidchief@gmail.com>; Dean Davis <deandavis@sd83.org>; East Bonner Library <Amanda@ebonnerlibrary.org>; East Priest Lake Fire District <eastpriestlakefd@gmail.com>; Erik Sjoquist <esjoquist@idl.idaho.gov>; Federal Aviation Administration <Heather.pate@faa.gov>; Frankie Dunn <Frankiejduhn@hotmail.com>; Fritz Broschet <outletbaysewer@gmail.com>; Garfield Bay Water and Sewer District Clerk <garfieldbaywsd@hotmail.com>; Gavin Gilcrease <ggilcrease@sandpointidaho.gov>; ID State Historical Society - Dan Everhart <dan.everhart@ishs.idaho.gov>; Idaho Department of Environmental Quality <deqcomments@deq.idaho.gov>; Independent Hwy Dist - Julie Bishop <ihdclerk@gmail.com>; ITD - Robert Beachler <robert.beachler@itd.idaho.gov>; ITD - Stacy Simkins <stacy.simkins@itd.idaho.gov>; Jack Schenck <Jack.schenck@vyvebb.com>; Jake Gabell <jgabell@priestriver-id.gov>; Janice Best <janicesb@televar.com>; Jason Johnson <jason.johnson@bonnercountyid.gov>; Jason Kimberling <jason.kimberling@itd.idaho.gov>; Jeff Lindsey <jeff.lindsey@bonnercountyid.gov>; Jessie Roe <BWSD637@gmail.com>; Joe Kren <joekren@sd83.org>; Jordan Brooks <coolinsewer@gmail.com>; KayLeigh Miller <klmiller@ponderay.org>; kbsd sewer <kbsdpl@hotmail.com>; Ken Flint <ken_flint@tcenergy.com>; Kenny Huston <kenny.huston@oer.idaho.gov>; Kim Hoodenpyle <kjh5345@gmail.com>; Kim Spacek <kimspacek@sd83.org>; Kimberly Hobson <Kimberly.Hobson@itd.idaho.gov>; Laclede Water District <info@lacledewaterdistrict.org>; Lakeland Joint School District #272 <cpursley@lakeland272.org>; Lisa Rosa <hr@ebonnerlibrary.org>; Luke Bates <luke.bates@idwr.idaho.gov>; Matt Diel <matt.diel@lposd.org>; Merritt Horsmon <merritt.horsmon@idfg.idaho.gov>; Midas Water <midaswatercorp@gmail.com>; Mike Ahmer <mahmer@idl.idaho.gov>; Mike Schacht <firedept@clarkforkidaho.gov>; Natural Resource Conservation Service - Greg Becker <greg.becker@id.usda.gov>; Navy - Glynis Casey <glynis.casey@navy.mil>; North of the Narrows Fire District <northofthenarrowsfire@gmail.com>; Northern Info <northerninfo@idwr.idaho.gov>; Northern Lights <kristin.mettke@nli.coop>; Northern Lights - Clint Brewing <clint.brewington@nli.coop>; Northside Water and Syringa Heights Water Association <allwater49@outlook.com>; Oden Water Association - Carla Poelstra <odenwater@gmail.com>; Pend Oreille Hospital District <kim.kichenmaster@bonnergeneral.org>; PHD <EApplications@phd1.idaho.gov>; Priest Lake Public Library District <plplibrary@hotmail.com>; Richard Hash <Rich.hash2022@gmail.com>; Road & Bridge - Matt Mulder <matt.mulder@bonnercountyid.gov>; Ryan

Zandhuisen <rzandhuisen@idl.idaho.gov>; Sagle Valley Water and Sewer District <saglewatersewer@gmail.com>; Sagle Valley Water & Sewer District <markc@smartplugs.com>; Sam Owen Fire Rescue Sam Owen Fire Rescue <sofd@wow-tel.net>; Sam Ross <sam.ross@nli.coop>; Sarah Gilmore <sgilmore@sandpointidaho.gov>; School District 84 Transportation - James Koehler <james.koehler@lposd.org>; SCHWEITZER FIRE DISTRICT <SchweitzerFireDistrict@gmail.com>; Selkirk Association of Realtors <danielle@selkirkaor.com>; Selkirk Recreation District <elgar@whoi.edu>; Sheryl Austin <granitereeder@gmail.com>; SOURDOUGH POINT OWNERS ASSOCIATION <sourdoughpoint@hotmail.com>; Southside Water and Sewer <southsidewaterandsewer@swsdidaho.org>; Steve Elgar <selgar@mac.com>; Superintendent School Dist 84 <kelly.fisher@lposd.org>; Symone.Legg@itd.idaho.gov; Tammy Miller <tmiller@selkirkfire.com>; Tammy Miller <tmiller@selkirkfire.us>; TC Energy / TransCanada <US_crossings@tcenergy.com>; Teresa Decker <Huckleberryhoa@gmail.com>; Teresa Decker <huckbayutilities01@gmail.com>; Teresa Zamora <utilities@stoneridgeidaho.com>; Theresa Wheat <theresa@kootenai.org>; Tim Ventress <chventresswplvfd@hotmail.com>; Timberlake Fire District <Kwright@timberlakefire.com>; Tom Renzi <eplfdchief@gmail.com>; US Fish & Wildlife Services <fw1idahoconsultationrequests@fws.gov>; West Bonner Library <meagan@westbonnerlibrary.org>; West Pend Oreille Fire District <wpofd1@gmail.com>
Cc: kkoesel@jasewell.com; Daniel Britt <daniel.britt@bonnercountyid.gov>
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Jeannie Welter

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[Online Application Guide](#)



CUP0007-25 conditional use permit.pdf
221K

NOTICE OF PUBLIC HEARING



I hereby certify that a true and correct copy of this "Notice of Public Hearing" was digitally transmitted or mailed (postage prepaid) on this **20th** day of **January 2026**.

Jeanne L. Welter
Jeanne L. Welter, Systems Technician

This notice was mailed to political subdivisions, property owners within 300 feet of the subject property, and the media on **Tuesday, January 20, 2026**.

NOTICE IS HEREBY GIVEN that the Bonner County Zoning Commission will hold a public hearing at **5:30 pm** on **Thursday, February 26, 2026**, in the Bonner County Administration Building, 1500 Highway 2, Sandpoint, Idaho, by Zoom teleconference, and YouTube Livestream to consider the following requests:

File CUP0007-25 –Conditional Use Permit – Public Utility Facility – City of Spirit Lake: The applicants are requesting a Conditional Use Permit for a public utility facility on ±158.74 acres. The property is zoned Rural-10. The project is located off Spirit Lake Cutoff in Section 30 Township 54 North, Range 4 West, Boise-Meridian. The project site is within Spirit Lake Fire District and the Area of Impact of the City of Spirit Lake.

For details regarding this application, Zoom teleconference, or YouTube livestream, visit the Planning Department web site at www.bonnercountyid.gov/departments/Planning. Staff reports are available online or may be viewed at the planning department approximately a week before the scheduled hearing.

Written statements must be submitted to the planning department record no later than seven (7) days prior to the public hearing. Written statements not exceeding one standard letter sized, single spaced page may be submitted at the public hearing. Statements can be sent to the Bonner County Planning Department at 1500 Highway 2, Suite 208, Sandpoint, Idaho 83864; faxed to 866-537-4935 or e-mailed to planning@bonnercountyid.gov. The referenced start time stated above reflects the beginning of the hearing. Specific file start time and hearing duration vary.

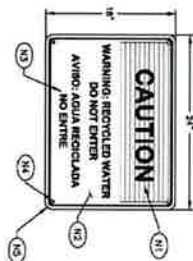
During the hearing for this application, the public will be given an opportunity to provide testimony and/or evidence regarding how the proposal does or does not comply with the applicable approval criteria of the Bonner County Revised Code. At the close of the public hearing, the governing body will make a decision on the application that may include, but is not limited to, approval, denial, remand, or continuance of the public hearing. Any person needing special accommodations to participate in the public hearing should contact the Bonner County Planning Department at (208) 265-1458 at least 48 hours prior to the scheduled hearing.

If you have no comment or response, you may indicate below and return this form to the Planning Department.

NO COMMENT *Kootenai - Ponderay Sewer District* *1/20/2026*
Name *out of Boundaries* Date

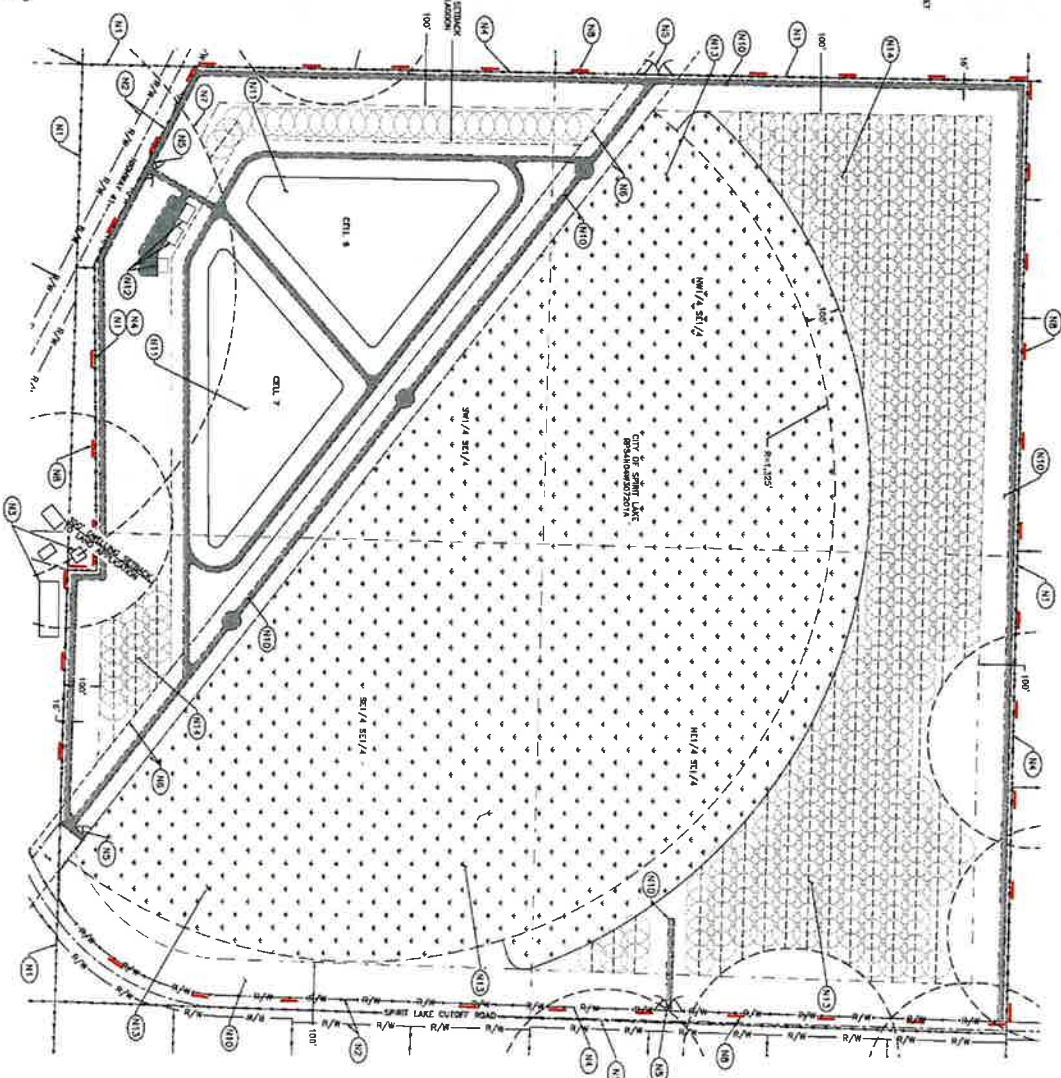
[illegible]

- (N1) MODIFIED BLACK PAVEL WITH 2-1/2" HIGH YELLOW LETTERS
- (N2) YELLOW BACKGROUND
- (N3) MODIFIED BLACK CHARACTERS, 1-2/16" TALL
- (N4) 9) HOLES FOR 1/4" BOLT, EACH HOLE SHALL HAVE A 1/4" DIA. SPACER
- (N5) ROUNDED CORNERS



- 1). ALL SIGNS SHALL BE PORCELAIN ENAMEL, 200A ENAMELED IRON OR STEEL OF LOW METALLIC AND COPPER CONTENT MANUFACTURED FOR PRODUCTION OF PORCELAIN ENAMEL UNITS. PORCELAIN ENAMEL SHALL INCLUDE TWO COATS WITH MINIMUM .0025 THICKNESS PER COAT.
- 2). COLORS & SIZES OF LETTERS TO BE PER CSAH STANDARDS FOR COUNTRY SIGNS.
- 3). PHONE BE SIGN AT 20" O.C. AND AT CORNERS ALONG BARRIER WITH ENVELOPING AROUND LAMP APPLICATION PENETRATOR.

SCALE 1" = 150' (FOR SHEET SIZE: 34"x22")

[illegible]

Appendix C- Agency Noticing (Appeal)

RECORD OF MAILING

Page 1 of 1

File Number: **Appeal CUP0007-25**

Record of Mailing Approved By: D.Britt

Hearing Date: **8.20.26**

I hereby certify that a true and correct copy of the "Notice of Public Hearing" was digitally transmitted or mailed (postage prepaid) on this **22nd** day of **July 2026**.



Jeannie Welter, Systems Technician

Assessor - Email

Bay Drive Recreation District - Email

Bonner County Airport Manager - Email

Bonner County EMS - Email

Bonner County Road & Bridge - Email

Bottle Bay Water & Sewer District - Email

City of Dover - Email

City of Hope - Email

City of Oldtown - Email

City of Priest River - Email

City of Spirit Lake - Email

Coolin-Cavanaugh Bay Fire District - Email

East Bonner Library - Email

Ellisport Bay Sewer - Email

GEM STATE MINER - U.S. Mail

Idaho Department of Environmental Quality (DEQ) - Email

Idaho Department of Lands - CDA - U.S. Mail

Idaho Department of Lands - Navigable Waters & Mining - Email

Idaho Department of Water Resources - IDWR - Email

Idaho Transportation Department- District I - Email

Kalispel Bay Sewer & Water - U.S. Mail

KPBX-FM 91 SPOKANE PUBLIC RADIO - U.S. Mail

Laclede Water District - Email

Lake Pend Oreille School District, #84 (Transportation) - Email

Little Blacktail Ranch Water Association - U.S. Mail

Northern Lights, Inc. - Email

Northside Fire District - Email

Panhandle Health District - Email

Priest Lake Public Library District - Email

Sagle Valley Water & Sewer - Email

Schweitzer Fire District - Email

Selkirk Fire, Rescue & EMS - Email

Southside Water & Sewer District - Email

Spokesman-Review - U.S. Mail

Swan Shores Sewer District - U.S. Mail

Tamarack Village Water & Sewer - U.S. Mail

Trestle Creek Sewer District - Email

U.S. Fish & Wildlife Service - Email

West Bonner County Cemetery District - Email

West Bonner Library - Email

West Pend Oreille Fire District - Email

Avista Utilities - Email

Bayview Water & Sewer - Email

BONNER COUNTY DAILY BEE - U.S. Mail

Bonner County Floodplain Review - Email

Bonner County Sheriff - Email

City of Clark Fork - Email

City of East Hope - Email

City of Kootenai - Email

City of Ponderay - Email

City of Sandpoint - Email

Coolin Sewer District - Email

Drainage District #7 - Email

East Priest Lake Fire District - Email

Garfield Bay Water & Sewer District - Email

Granite Reeder Water & Sewer District - Email

Idaho Department of Fish & Game - Email

Idaho Department of Lands - Coolin - Email

Idaho Department of Lands - Sandpoint - Email

Idaho Transportation Department (Aeronautics) - U.S. Mail

Independent Highway District - Email

Kootenai-Ponderay Sewer District - Email

KSPT-KPND-KIBR RADIO - U.S. Mail

Lake Pend Oreille School District, #84 (Admin Office) - Email

Lakeland Joint School District, #272 - Email

North of the Narrows Fire District - Email

Northland/Vyve Cable Television - Email

Outlet Bay Sewer District - Email

Pend Oreille Hospital District - Email

Priest Lake Translator District - Email

Sam Owen Fire District - Email

SELKIRK ASSOCIATION OF REALTORS - U.S. Mail

Selkirk Recreation District -Email

Spirit Lake Fire District - Email

Historical Society - Email

Syringa Heights Water Association - Email

Timber Lake Fire District - Email

U.S. Army Corps of Engineers - Email

U.S. Forest Service - U.S. Mail

West Bonner County School District, #83 - Email

West Bonner Water & Sewer District - Email

West Priest Lake Fire District - Email

Record of Mailing **Property Owners within 300 Feet**

Page 1 of 1

File Number: **Appeal CUP0007-25**

Record of Mailing Approved By: D.Britt

Hearing Date: **8.20.26**

I hereby certify that a true and correct copy of the "Notice of Public Hearing" was digitally transmitted or mailed (postage prepaid) on this **22nd** day of **July 2026**.



Jeannie Welter, Systems Technician

Pin	Owner	Address Not Provided	City	State	Zip
RP003120000120A	Kunishige, Christopher & Tina	Po Box 112	Spirit Lake Dalton	ID	83869
RP020410000010A	4 Industrial Park Ave Llc	1671 E Canfield Ave	Gardens	ID	83815
RP0031200014A0A	Blacktail Storage Llc	3244 N Callary St	Post Falls	ID	83854
RP014460000030A	Vangemert, Dean E & Linda A	122 Gunner Ln	Spirit Lake	ID	83869
RP54N04W296200A	Reiswig, Kenneth Wilkerson-Reiswig, Betty M	Po Box 1283	Spirit Lake	ID	83869
RP54N04W296150A	Ingram, Aaron	Po Box 820	Spirit Lake	ID	83869
RP54N04W294000A	Western High Lands Inc Topp, Edward	45 Krupps Rd	Spirit Lake	ID	83869
RP54N04W312400A	City Of Spirit Lake	Po Box 309	Spirit Lake	ID	83869
RP54N04W304501A	Stimson Lumber Co	9400 Sw Barnes Rd Ste 530	Portland	OR	97225
RP014460000020A	Newton, Marvin Iii Cromeenes, Cheryl	14101 162nd Pl Ne	Arlington	WA	98223
RP020410000020A	21904 Highway 41 Llc	C/o Po Box 1308	Lewiston	ID	83501
RP54N04W301201A	Vangemert, Dean Eric & Linda A Johnson, Michael & Shelly	316 St Germaine Rd	Spirit Lake	ID	83869
RP54N04W295700A	Dahlstrom, Gregory M & Connie	Po Box 3461	Post Falls	ID	83877
RP54N04W306900A	Bonner County	1500 Hwy 2 - Ste 304	Sandpoint	ID	83864
RP003120000130A	Rutherford, Dorothy	241 Cavanuagh Bay Rd	Coolin	ID	83821-6001
RP54N04W296250A	Steinbrenner, Craig & Erin E	Po Box 1332	Spirit Lake	ID	83869-1332
RP014470000020A	Osborne, Tena R	768 Spirit Lake Cut Off	Spirit Lake	ID	83869-9670
RP54N04W307201A	City Of Spirit Lake	Po Box 309	Spirit Lake	ID	83869
RP014220000040A	Metling Family Trust	51 La Luna Ln	Spirit Lake	ID	83869
RP54N04W295630A	Reed, Robert D & Tonya D	Po Box 392	Spirit Lake	ID	83869
RP014470000010A	Roman, Nicholas J	Po Box 963	Spirit Lake	ID	83869
RP54N04W296500A	Ochoa, Alfred J & Helen D	18706 S Clodfelter Rd	Kennewick	WA	99338
RP014430010010A	Doggett, Troy Jr & Misty	527 Spirit Lake Cutoff Rd	Spirit Lake Otis	ID	83869
RP014220000030A	Duprey, Michael L Duprey, Renee C & Lawrence J	5406 N Ormond Rd	Orchards	WA	99027
RP54N04W310602A	Kelly, Josh M & Emily A	21111 Hwy 41	Spirit Lake	ID	83869
RP54N04W296300A	Comstock, Cynthia L Comstock, Jesse James Comstock, Seanna M	Po Box 1466	Spirit Lake	ID	83869
RP014270030010A	Spirit Valley Christian Fellowship Owens, Clyde Jr Pastor	Po Box 750	Spirit Lake	ID	83869
RP012420010010A	Fellowship	Po Box 993	Spirit Lake	ID	83869
RP54N04W320001A	Eastmond, John Brett & Nicole	Address Not Provided			
	State Of Idaho Department Of Lands	6042 West Maine St.	Spirit Lake	ID	83869
	City Of Spirit Lake	600 4th St. West	Newport	WA	99156
Project Rep	Kevin Koesel				

Appendix D- Agency Comment (Appeal)

CUP0007-25 RE: Request for Review & Comment - Due by August 6, 2026 - File CUP0007-25 - Bonner County Planning

From 'Farley,Alynette B (CONTR) - TERR-BELL-1' via Mail-Planning <planning@bonnercountyid.gov>
Date Thu 7/23/2026 10:05 AM
To Planning <Planning@bonnercountyid.gov>
Cc Farley,Alynette B (CONTR) - TERR-BELL-1 <abfarley@bpa.gov>

No comment, no BPA ROW @ location.

Alynette Farley
BONNEVILLE POWER ADMINISTRATION
DEPARTMENT OF ENERGY
CONTR (Actalent)
Right-of-Way Agent | Real Property Services | TERR
abfarley@bpa.gov | O: 509-468-3083 | C: 971-710-6926

From: Planning <Planning@bonnercountyid.gov>
Sent: Wednesday, July 22, 2026 11:11 AM
To: cityclerk@spiritleakeid.gov; jacob.gabell@gmail.com; kkoesel@jasewell.com
Cc: Kendra Smith <Kendra.Smith@bonnercountyid.gov>; Alexander Feyen <alexander.feyen@bonnercountyid.gov>; Jeannie Welter <jeannie.welter@bonnercountyid.gov>; Maya Johnson <Maya.Johnson@bonnercountyid.gov>; Daniel Britt <daniel.britt@bonnercountyid.gov>
Subject: Request for Review & Comment - Due by August 6, 2026 - File CUP0007-25 - Bonner County Planning

You are invited to comment on this application, your comments must be received by the Bonner County Planning Department by 5 p.m. **August 6, 2026.**

Please review the application relative to your agency's area of expertise and include any recommended conditions of approval and supporting code sections.

Please see attached for details.

Thank you,
Janna Brown, Administrative Assistant III
Bonner County Planning Department
208-265-1458 ext - 1252

[EXT SENDER] RE: Request for Review & Comment - Due by August 6, 2026 - File CUP0007-25 - Bonner County Planning

From planning@bonnercountyid.gov <planning@bonnercountyid.gov>
on behalf of
Bates, Luke <Luke.Bates@idwr.idaho.gov>
Date Fri 7/24/2026 7:17 AM
To Planning <Planning@bonnercountyid.gov>; cityclerk@spiritleakeid.gov <cityclerk@spiritleakeid.gov>; jacob.gabell@gmail.com <jacob.gabell@gmail.com>; kkoesel@jasewell.com <kkoesel@jasewell.com>
Cc Kendra Smith <Kendra.Smith@bonnercountyid.gov>; Alexander Feyen <alexander.feyen@bonnercountyid.gov>; Jeannie Welter <jeannie.welter@bonnercountyid.gov>; Maya Johnson <Maya.Johnson@bonnercountyid.gov>; Daniel Britt <daniel.britt@bonnercountyid.gov>

REF: CUP0007-25

TO: Bonner County Planning Department

Good morning,

Idaho Department of Water Resources (IDWR) – Northern Regional Office maintains our original comments provided earlier in the process and has nothing new to add.

Thank you for the opportunity to comment,



Luke Bates – Sr Water Resource Agent
Idaho Department of Water Resources
Northern Regional Office
208-762-2817
7600 N Mineral Dr Suite 100 Coeur D Alene ID 83815-7763

From: Planning <Planning@bonnercountyid.gov>
Sent: Wednesday, July 22, 2026 11:11 AM
To: cityclerk@spiritleakeid.gov; jacob.gabell@gmail.com; kkoesel@jasewell.com
Cc: Kendra Smith <Kendra.Smith@bonnercountyid.gov>; Alexander Feyen <alexander.feyen@bonnercountyid.gov>; Jeannie Welter <jeannie.welter@bonnercountyid.gov>; Maya Johnson <Maya.Johnson@bonnercountyid.gov>; Daniel Britt <daniel.britt@bonnercountyid.gov>
Subject: Request for Review & Comment - Due by August 6, 2026 - File CUP0007-25 - Bonner County Planning

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

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Please review the application relative to your agency's area of expertise and include any recommended conditions of approval and supporting code sections.

Please see attached for details.

Thank you,
Janna Brown, Administrative Assistant III
Bonner County Planning Department
208-265-1458 ext - 1252

[EXT SENDER] Re: Request for Review & Comment - Due by August 6, 2026 - File CUP0007-25 - Bonner County Planning

From planning@bonnercountyid.gov <planning@bonnercountyid.gov>
on behalf of
Symone Legg <Symone.Legg@itd.idaho.gov>
Date Wed 7/22/2026 11:51 AM
To Planning <Planning@bonnercountyid.gov>
Cc Kimberly Hobson <Kimberly.Hobson@itd.idaho.gov>

ITD Permits has no objection

Thank you,
Symone Legg | Project Coordinator
Idaho Transportation Department | D1 Traffic
Work: 208.772.8073 | 208.772.1297
Email: symone.legg@itd.idaho.gov | itd.idaho.gov

Enhancing quality of life through transportation

From: Planning <Planning@bonnercountyid.gov>
Sent: Wednesday, July 22, 2026 11:10 AM
To: cityclerk@spiritleakeid.gov <cityclerk@spiritleakeid.gov>; jacob.gabell@gmail.com <jacob.gabell@gmail.com>; kkoesel@jasewell.com <kkoesel@jasewell.com>
Cc: Kendra Smith <Kendra.Smith@bonnercountyid.gov>; Alexander Feyen <alexander.feyen@bonnercountyid.gov>; Jeannie Welter <jeannie.welter@bonnercountyid.gov>; Maya Johnson <Maya.Johnson@bonnercountyid.gov>; Daniel Britt <daniel.britt@bonnercountyid.gov>
Subject: Request for Review & Comment - Due by August 6, 2026 - File CUP0007-25 - Bonner County Planning

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You are invited to comment on this application, your comments must be received by the Bonner County Planning Department by 5 p.m. **August 6, 2026.**

Please review the application relative to your agency's area of expertise and include any recommended conditions of approval and supporting code sections.

Please see attached for details.

Thank you,
Janna Brown, Administrative Assistant III
Bonner County Planning Department
208-265-1458 ext - 1252

RE: Request for Review & Comment - Due by August 6, 2026 - File CUP0007-25 - Bonner County Planning

From 'KPSD Clerk' via Mail-Planning <planning@bonnercountyid.gov>

Date Wed 7/22/2026 2:30 PM

To Planning <Planning@bonnercountyid.gov>

 1 attachment (197 KB)

2026_7_CUP008-25_CUP_Marina.pdf;

Attached is the District's response to the above named file.



District Clerk

Kootenai-Ponderay Sewer District

511 Whiskey Jack Road Sandpoint, ID 83864

Office Hours: 8:30 am – 5:00 pm, Monday through Thursday

Phone: 208.263.0229

From: Colleen Johnson <CJohnson@kootenaiponderaysewerdistrict.org>

Sent: Wednesday, July 22, 2026 11:12 AM

To: KPSD Clerk <clerk@kootenaiponderaysewerdistrict.org>

Subject: FW: Request for Review & Comment - Due by August 6, 2026 - File CUP0007-25 - Bonner County Planning

NOTICE OF CHANGE IN HOURS: THE OFFICE WILL BE CLOSED ON FRIDAYS. WE WILL BE OPEN NORMAL HOURS MONDAY THRU THURSDAY.

Colleen Johnson

Business Office Manager

Kootenai-Ponderay Sewer District

208-263-0229 Fax – 208-265-5326 Mobile: 208-304-5820

511 Whiskey Jack Road Sandpoint, Idaho 83864

P.O. Box 562, Kootenai, ID 83840

“Dance with Life”



From: Planning <Planning@bonnercountyid.gov>

Sent: Wednesday, July 22, 2026 11:11 AM

To: cityclerk@spiritlakeid.gov; jacob.gabell@gmail.com; kkoesel@jasewell.com

Cc: Kendra Smith <Kendra.Smith@bonnercountyid.gov>; Alexander Feyen <alexander.feyen@bonnercountyid.gov>; Jeannie

Welter <jeannie.welter@bonnercountyid.gov>; Maya Johnson <Maya.Johnson@bonnercountyid.gov>; Daniel Britt

<daniel.britt@bonnercountyid.gov>

Subject: Request for Review & Comment - Due by August 6, 2026 - File CUP0007-25 - Bonner County Planning

You are invited to comment on this application, your comments must be received by the Bonner County Planning Department by 5 p.m. **August 6, 2026**.

Please review the application relative to your agency's area of expertise and include any recommended conditions of approval and supporting code sections.

Please see attached for details.

Thank you,

Janna Brown, Administrative Assistant III

Bonner County Planning Department

208-265-1458 ext - 1252

NOTICE OF PUBLIC HEARING



I hereby certify that a true and correct copy of this "Notice of Public Hearing" was digitally transmitted or mailed (postage prepaid) on this **22nd** day of **July 2026**.

Jeannie L Welter
Jeannie Welter, Systems Technician

This notice was sent to political subdivisions on **Wednesday, July 22, 2026**.

NOTICE IS HEREBY GIVEN that the Bonner County Commissioners will hold a public hearing at **10:00 am on Thursday, August 6, 2026**, in the Bonner County Administration Building, 1500 Highway 2, Sandpoint, Idaho, by Zoom teleconference, and YouTube Livestream to consider the following requests:

APPEAL - File CUP0008-25 - Conditional Use Permit - Marina: Request for a conditional use permit for a marina and upland accommodations on ± 2.16 acres. The property is zoned Recreation. The project is located off Lakeshore Drive in Section 34/35 Township 57 North, Range 2 West, Boise-Meridian.

For details regarding this application, Zoom teleconference, or YouTube livestream, visit the Planning Department web site at www.bonnercountyid.gov/departments/Planning. Staff reports are available online or may be viewed at the planning department approximately a week before the scheduled hearing.

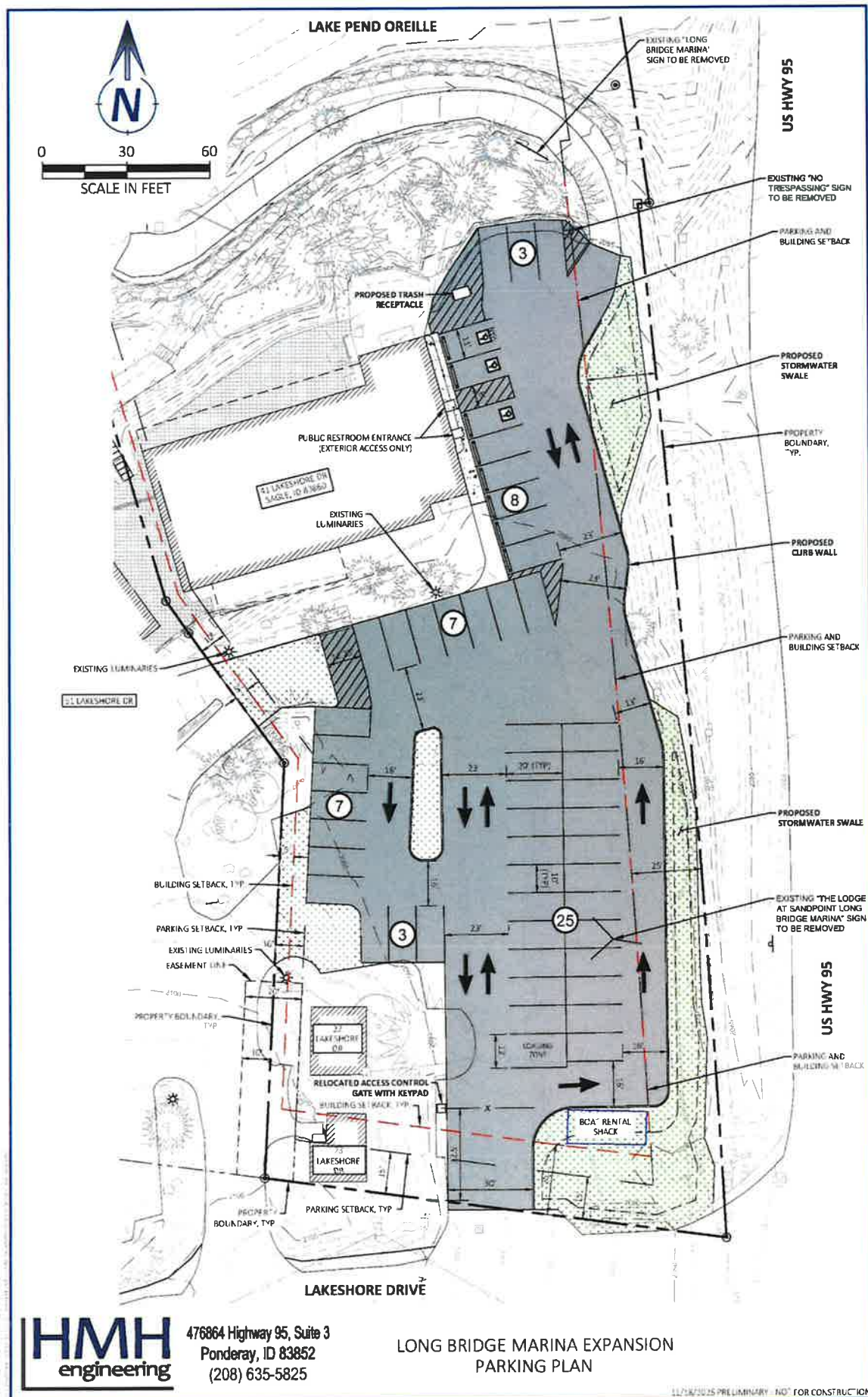
Written statements must be submitted to the planning department record no later than July 29, 2026, at 5:00 PM. Written statements not exceeding one standard letter sized, single spaced page may be submitted at the public hearing. Statements can be sent to the Bonner County Planning Department at 1500 Highway 2, Suite 208, Sandpoint, Idaho 83864; faxed to 866-537-4935 or e-mailed to planning@bonnercountyid.gov. The referenced start time stated above reflects the beginning of the hearing. Specific file start time and hearing duration vary.

During the hearing for this application, the public will be given an opportunity to provide testimony and/or evidence regarding how the proposal does or does not comply with the applicable approval criteria of the Bonner County Revised Code. At the close of the public hearing, the governing body will make a decision on the application that may include, but is not limited to, approval, denial, remand, or continuance of the public hearing. Any person needing special accommodations to participate in the public hearing should contact the Bonner County Planning Department at (208) 265-1458 at least 48 hours prior to the scheduled hearing.

If you have no comment or response, you may indicate below and return this form to the Planning Department.

NO COMMENT *Kootenai-Ponderay Sewer District* *7-22-2026*
Name Date

Out of boundaries



[EXT SENDER] RE: Request for Review & Comment - Due by August 6, 2026 - File CUP0007-25 - Bonner County Planning

From Robert Beachler <Robert.Beachler@itd.idaho.gov>

Date Thu 7/23/2026 5:33 PM

To Planning <Planning@bonnercountyid.gov>; cityclerk@spiritleakeid.gov <cityclerk@spiritleakeid.gov>; jacob.gabell@gmail.com <jacob.gabell@gmail.com>; kkoesel@jasewell.com <kkoesel@jasewell.com>; D1Permits <D1Permits@itd.idaho.gov>

Cc Kendra Smith <Kendra.Smith@bonnercountyid.gov>; Alexander Feyen <alexander.feyen@bonnercountyid.gov>; Jeannie Welter <jeannie.welter@bonnercountyid.gov>; Maya Johnson <Maya.Johnson@bonnercountyid.gov>; Daniel Britt <daniel.britt@bonnercountyid.gov>

You don't often get email from robert.beachler@itd.idaho.gov. [Learn why this is important](#)

Bonner County Planning Department,

Upon further review of the site plan map the Idaho Transportation Department would like to provide an additional comment regarding CUP0007-25. The applicant is proposing a new primary access to the site along SH-41. There is an existing gate at the parcel, but not a permitted approach. The City of Spirit Lake is required to apply for state highway approach permit at: <https://gisp.itd.idaho.gov/portal/apps/sites/#/itd-permits/pages/approaches>

Please contact me if you have any questions.

Respectfully,

Robert Beachler
District 1 Planning Program Manager
Idaho Transportation Department
600 W. Prairie Ave
Coeur d'Alene, ID 83815
robert.beachler@itd.idaho.gov
(208) 772-1216
Office Hours M-TH 6-4:30

From: Planning <Planning@bonnercountyid.gov>

Sent: Wednesday, July 22, 2026 11:11 AM

To: cityclerk@spiritleakeid.gov; jacob.gabell@gmail.com; kkoesel@jasewell.com

Cc: Kendra Smith <Kendra.Smith@bonnercountyid.gov>; Alexander Feyen <alexander.feyen@bonnercountyid.gov>; Jeannie Welter <jeannie.welter@bonnercountyid.gov>; Maya Johnson <Maya.Johnson@bonnercountyid.gov>; Daniel Britt <daniel.britt@bonnercountyid.gov>

Subject: Request for Review & Comment - Due by August 6, 2026 - File CUP0007-25 - Bonner County Planning

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

You are invited to comment on this application, your comments must be received by the Bonner County Planning Department by 5 p.m. **August 6, 2026**.

Please review the application relative to your agency's area of expertise and include any recommended conditions of approval and supporting code sections.

Please see attached for details.

Thank you,
Janna Brown, Administrative Assistant III
Bonner County Planning Department
208-265-1458 ext - 1252

Appendix E- Decision Letter Zoning Commission



Bonner County Planning Department

"Protecting property rights and enhancing property value"

1500 Highway 2, Suite 208, Sandpoint, Idaho 83864

Phone (208) 265-1458 - Fax (866) 537-4935

Email: planning@bonnercountyid.gov - Web site: www.bonnercountyid.gov

March 9, 2026

City of Spirit Lake
6042 West Maine St.
Spirit Lake, ID 83869

Kevin Koesel
James A. Sewell & Associates, LLC
600 4th St. West
Newport, WA 99156

Subj: File CUP0007-25 – Conditional Use Permit – Public Utility Facility

Encl: (1) File CUP0007-25 Reasoning Statement (2) CUP0007-25 Staff Report

Dear Applicant,

The Bonner County Zoning Commission at the February 26, 2026 , hearing denied the referenced application.

DECISION TO DENY: Commissioner Mauk moved to deny this project, FILE CUP0007-25, for a Public Utility Facility, located in Section 30, Township 54 North, Range 4 West, Boise Meridian, based upon the following conclusions:

Conclusion 1

The proposed conditional use permit **is** in conflict with the policies of the Comprehensive Plan.

Conclusion 2

This proposal **was** reviewed for compliance with the criteria and standards set forth in BCRC Chapter 3, Subchapter 3.3, Subchapter 3.4 BCRC Chapter 4, Subchapter 4.2, 4.3, 4.4, 4.5 and 4.6 Title 12, Chapter 7, Subchapter 7.2, Title 12, Bonner County Revised Code.

Conclusion 3

The proposed use **will not** create a hazard and **will not** be dangerous to persons on or adjacent to the property.

This decision is based upon the evidence submitted up to the time the Staff Report was prepared, and testimony received at this hearing. Commissioner Pound further moved to adopt the reasoned statement as discussed in deliberation at this hearing and the analysis as set forth in the Staff Report (or as amended during this hearing)

and direct planning staff to draft the reasoned statement to reflect this motion as set forth in Idaho Code section 67-6535, have the Chair sign, and transmit to all interested parties. This action does not result in a taking of private property. The action that could be taken, if any, to obtain the Conditional Use Permit is to:

- 1) File a new application with the Planning Department and meet the standards required by Bonner County Revised Code; or
- 2) Appeal the decision to the County Commissioners.

Commissioner Pound seconded the motion.

Role Call Vote:

Commissioner Blaser	Yea
Commissioner Johnson	Yea
Commissioner Poulsen	Yea
Commissioner Pound	Yea
Commissioner Mauk	Yea

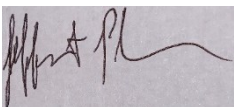
Motion Passes, unanimously.

Bonner County Revised Code, Section 12-262, provides an opportunity for affected persons to appeal Zoning Commission decisions with the Planning Director within 28 days after the final written decision of the Zoning Commission has been issued. Any such appeal must be submitted in accordance with the referenced code section no later than **5:00 p.m., APRIL 6, 2026. AN APPEAL SHALL BE ACCOMPANIED BY A FILING FEE IN ACCORDANCE WITH THE APPROVED FEE SCHEDULE. THE FEES ARE PAYABLE TO THE BONNER COUNTY PLANNING DEPARTMENT.**

NOTE: Following any final decision concerning a site-specific land use request, the applicant has a right to request a regulatory taking analysis pursuant to Section 67-8003, Idaho Code (*Idaho Code §67-6535(3)*).

Please contact the Planning Department if you have any questions.

Sincerely,



Jeffrey Poulsen, Chair
Zoning Commission

c: Kevin Koesel, Project Representative

Comprehensive Plan Analysis:

Property Rights

Policies:

1. Follow the attorney general's checklist, prescribed at Idaho Code §67-8003 and provided in the "Property Rights" component of the county's comprehensive plan, for all land use decisions.
2. Adopt a reasoned statement and conclusions of law, in accordance with Idaho Code 67-6535, for all quasi-judicial land use decisions that reflect the justifications for exactions, conditions and restrictions and confirm that a taking of private property has not occurred.
3. In all land use decisions, consider the property rights of the applicant, adjoining and nearby landowners and future generations, as well as the short-term and long-term consequences of decisions.
4. Review all rezoning requests (down-zoning and up-zoning) pursuant to the Idaho State Code, Title 67, Chapter 65 – Local Land Use Planning Act. The approval of conditional rezoning or denial of a request for rezoning is subject to the regulatory taking analysis provided for by Idaho Code Section 67-8003.

Zoning Commission:

In Conflict

Evidence in the Record:

A submitted study shows that property values can decline 20-30% in this area when sewer treatment plants are built. Approval of this request will cause values to decline in Bonner County and help increase property values in Kootenai County in both the short and long term. A long-term consequence is losing control jurisdiction of the property. Quality of life will decrease because people will have to visit doctors more frequently as stated in public testimony.

Population

Policies:

1. Regularly analyze population projections to determine if changes need to be made to the Comprehensive Plan Goals, Objectives and Policies and/or the Zoning Ordinance, to ensure that the public and community needs are being met through land use decisions.
2. Use population forecasts and census data to evaluate housing and impacts to the transportation system and other county services.

3. Cooperate with incorporated cities and neighboring counties to address growth challenges within the Areas of Impact and coordinate planning efforts to the extent possible.

Zoning Commission:

Not In Conflict

Evidence in the Record:

Adopted the staff analysis as written in the staff report.

School Facilities and Transportation

Policies:

1. Current data regarding school capacity and transportation issues as provided by the School Districts will be included in the assessment of all land use proposals.
2. Consider the impacts of land use proposals on the school service and seek mitigation from developers such as providing facilities, safety features, or other measures as permitted by Idaho Code, to address the impacts of the proposals.
3. Encourage school districts to proactively review development applications to determine particular school needs and concerns.
4. Encourage construction of trails and bicycle paths to allow safe passage of students to and from schools.
5. Consider the long-term consequences of land use proposals, including the adequacy of existing school facilities, transportation services, and the siting of future schools.

Zoning Commission:

Not In Conflict

Evidence in the Record:

Adopted the staff analysis as written in the staff report.

Economic Development

Policies:

1. Allow small scale cottage businesses and home occupations in all areas of the county. Set reasonable conditions on such uses to minimize adverse impacts to the neighborhood based on factors including, but not limited to, hours of operation and traffic volume generated by the business.

2. Develop land use regulations to allow the county's agricultural heritage to be maintained by enabling local food production, distribution, congregation, and retail sales. Examples include community gardens, school gardens, farm related education programs, farmers or public markets, and other small-scale, collaborative initiatives.
3. Develop standards for commercial and industrial development that are appropriate for the surrounding community, including: appropriate site sizes, use types, buffering and design standards that encourage both attractive and efficient function while protecting the environment.
4. Mitigate the potential impacts of economic development activities that cause adverse factors such as noise, light glare, odors, fumes and vibrations on the surrounding community.
5. Support local economic development by increasing support for outdoor recreation in the county. Encourage and protect public access to public lands and water, while protecting the surrounding areas from adverse impacts through mitigation and standards.
6. Allow for campgrounds and recreational uses while protecting the surrounding areas from adverse impacts through mitigation and standards.
7. Support local businesses by enabling development of workforce housing in proximity to commercial, industrial, agricultural, and recreational uses, through review and updating of land use regulations.

Zoning Commission:

In Conflict

Evidence in the Record:

This proposal is not supporting business, agricultural heritage or sustainable economic development.

Land Use

Policies:

1. Develop and maintain a Future Land Use Map and Land Use Regulations that acknowledge and preserve the County's agricultural, timber and mining lands, water and wildlife resources, and identify and avoid hazard areas. Provide areas for economic growth, encourage affordable housing and center growth in areas where adequate public and private services can be provided.
2. Encourage clustered development for medium and large scale commercial and industrial uses.

3. Commercial and industrial uses should be located and operated in a manner to ensure the protection of our natural resources including clean air and water, dark skies, and overall environmental quality and rural character of the county.
4. Reflect in the use tables that commercial and industrial uses should be unconditionally permitted in areas identified by the Comprehensive Plan as suitable and zoned for those uses. Evaluation of suitability should be based on availability of urban services, adequate access to hard surfaced publicly maintained roads and other factors that may impact the surrounding community.
5. Reflect in the use tables that commercial and industrial uses may be conditionally permitted in areas not identified for such uses in the Comprehensive Plan if a critical review of the proposed use determines that with appropriate conditions the use will not adversely impact the surrounding area.
6. Based upon the land use analysis completed in 2025, a sufficient number of residential parcels exist or could be created within current zoning density. Therefore, modification of zoning to provide increased density should be rare.
7. Land use applications should be supported by a review, evaluation, or approval by the applicable state agency for sanitary services.
8. Consider avenues to create incentives for land conservation through zoning and subdivision laws to preserve various significant archaeological, ecological, historical, wildlife, and scenic sites that have been recognized in the county as unique and important to preserve.
9. Minimize the creation of lots that cannot receive the appropriate sanitary services.
10. Maintain the Alpine Village zoning district to provide adequate design and development standards for the high-density recreational community with steep slopes and heavy snowfall at elevations above 3500'.
11. Urban development is better suited in urban areas. Idaho Code 67-6502 (a through m) promotes the health, safety and general welfare of the people of the state. Subsection (f) encourages urban and urban type development within incorporated cities. All nine cities within the county provide or are associated with urban water and sewer systems which allow and depend on higher density to make the services fiscally feasible and sustainable.
12. Due to the wildfire threat in the county, consider evacuation routes when making land use decisions and updating land use code.
13. The mapping of land use designations should have homogeneity with the surrounding area. Areas have specific, individual land use designations which results in homogeneity across the landscape. Islands of different land use designations defy the sense of rural context, especially if the land uses are markedly dissimilar.

14. The land uses describe the general uses and characteristics of each of the map designations. Since the Comprehensive Plan Map covers approximately 1.1 million acres, the map is general in nature, and it is recognized that some areas may have or may lack features and characteristics that cause them to differ somewhat from what is in their land use description. It is not reasonable to expect that every parcel within a land use designation will conform to every detail of the geographic characteristics of the area as a whole.

Zoning Commission:

In Conflict

Evidence in the Record:

Policy:

#4 & #5. The proposal will impact land values, cause objectionable odor and particular matter.

Natural Resources

Policies:

1. Institute best management practices for waterway setbacks to reduce erosion and sedimentation into waterways.
2. Design development standards that encourage clustered development resulting in the preservation of open space and wildlife habitat.
3. Recognize critical wildlife habitats, as identified by US Fish and Wildlife, and create development standards to protect these areas and mitigate development impacts to these habitats.
4. Protect water quality by creating standards for development in close proximity to shorelines.
5. Provide a copy (physical copy or digital link) of the Lake Assist Guidebook to property owners or their representatives applying for a building location permit on shoreline properties. Make a digital link to the Guidebook available via the Planning Department web page.
6. Implement shoreline development land use regulations that address those areas where the County can enforce such regulations effectively.
7. To the extent of the County's jurisdiction, and consistent with the Clean Water Act, protect delineated wetlands.
8. Identify and protect productive farmland, timberland and mining lands from adverse effects of adjoining developments.

Zoning Commission:

Not In Conflict

Evidence in the Record:

Well testing supports that the proposal is not in conflict with these policies.
Adopted the staff analysis as written in the staff report.

Hazardous Areas

Policies:

1. Adopt flood mitigation standards that meet or exceed the National Flood Insurance Program minimum requirements.
2. Discourage residential, commercial or industrial development within floodways.
3. Discourage fill within the floodplain.
4. Integrate the county's wildland fire policies and plans into development standards.
5. Identify and discourage developments on excessive slopes with lower density zoning in these areas.
6. Establish regulation and development densities of new development in floodplains. Regulate the location and density of new development in floodplains to reduce the potential for the loss of lives and property in those areas.
7. Land divisions should be designed to reduce exposure to wildland fire and to provide for adequate ingress and egress routes as determined by the applicable Fire Authority Having Jurisdiction.
8. Discourage the issuance of building location permits within areas of excessive slopes, unstable areas and avalanche zones.

Not In Conflict

Evidence in the Record:

Adopted the staff analysis as written in the staff report.

Zoning Commission:

Public Services, Facilities and Utilities

Policies:

1. Encourage high-density development to take place within the boundaries of existing sewer and water districts with adequate capacity.

2. Seek comments from existing service providers on their ability to serve future developments without adversely impacting the ability of the utility providers to serve current users.
3. Provide adequate facilities for responsible disposal of solid waste to protect the health and welfare of the public as well as the County's natural resources.
4. New development should be adequately served by fire protection, roads, sanitary services, schools, law enforcement, ambulance, power and emergency services, and other public services as determined by the relevant service provider.
5. Require developers to provide infrastructure, utilities or financial support to offset the capital costs of expansion of services required by the proposed development.
6. Require adequate provisions for future utility services in areas of commercial, industrial, residential or other similar uses.

Zoning Commission:

Not In Conflict

Evidence in the Record:

Adopted the staff analysis as written in the staff report.

Transportation

Policies:

1. Develop and regularly update a long-term County highway system plan to ensure reasonable levels of service can be maintained in the future, and that needs for future road extensions or transportation corridors are identified as early as possible.
2. Discourage development in areas that are not served by county standard roads or where transportation is inadequate.
3. Future development should not adversely impact the existing County highway system by significantly reducing the quality or level of service or creating hazards or congestion.
4. Roads are encouraged to be built to County Standards and at the expense of the developer.
5. Roads within new development should provide adequate access for fire and emergency vehicles as well as routes of escape.
6. Future access roads should be designed and built to integrate with the State and County systems of roads without overburdening the County highway system.

7. Encourage cluster development to reduce transportation costs, road building and environmental impacts.
8. The county intends for certain intense land use developments to provide hard surfaced roads.
9. Consider bike ways and pedestrian paths in development plans to provide an integrated community County highway system wherever possible.
10. To communicate and work cooperatively with other jurisdictions within the county to ensure the best possible flow of traffic county-wide.

Zoning Commission:

Not In Conflict

Evidence in the Record:

The use is not proposed to be accessed from a Bonner County owned right of way
Adopted the staff analysis as written in the staff report.

Recreation

Policies:

1. Develop a waterways and public land access program to preserve and develop access to public recreational lands and waterways. The program should include retaining access parcels that may be acquired from tax sales or private donations.
2. Protect and encourage public and private recreational opportunities as an important asset that supports a key segment of the County's economy.
3. Consider a plan for a system of green belts and pathways (bike and pedestrian) as areas developed, so that a connected system can be developed and preserved. Under no circumstances will the County require recreational access easements on private property as a condition of development. This policy does not preclude providing voluntary incentives to developers in return for recreational access easements.
4. Ensure the public's legal recreational accesses and amenities are not obstructed or adversely impacted by future development.
5. Adverse impacts of recreational development on adjacent neighborhoods should be mitigated.

Zoning Commission:

Not In Conflict

Evidence in the Record:

Adopted the staff analysis as written in the staff report.

Special Areas or Sites**Policies:**

1. Develop a generalized map of the known pre-historic and historic sites so that future developments are aware of special areas of concern and are connected with the historical society and Native American tribes for appropriate preservation and protection.
2. Implement roadside development standards for recognized scenic byways to protect the view sheds.
3. Recognize and address Special areas when development is proposed in these areas.
4. Confirm if historical structures or sites exist within a land use application area, and if identified coordinate with the applicable agency.

Zoning Commission:**Not In Conflict**

Evidence in the Record:

Adopted the staff analysis as written in the staff report.

Housing**Policies:**

1. Enable development of a variety of housing options including manufactured home parks, and tiny home communities located in areas that are compatible with their density.
2. Coordinate with municipalities and private parties to explore solutions for various types of housing projects and developments in areas appropriate for their level of density.
3. Encourage clustering of housing in developments to save on infrastructure and transportation costs through mechanisms such as density bonuses.

4. Provide opportunities for assisted living and group shelters.
5. Enable temporary and seasonal employee labor housing in direct proximity to agricultural, commercial, recreational, and industrial uses or where infrastructure and emergency services support those uses.

Zoning Commission:

Not In Conflict

Evidence in the Record:

Adopted the staff analysis as written in the staff report.

Community Design

Policies:

1. To promote and preserve the natural features and rural atmosphere of the community, enact development standards that address development within scenic byways and design standards that account for waterfront setbacks, commercial and industrial landscaping, requirements for reduced lighting, cluster development, rural rather than urban setback standards, and other design objectives aimed at preserving the rural, natural character of the community.
2. Allow unique and flexible design standards such that new development within older neighborhoods and historic settlements is compatible with those unique neighborhoods.
3. Allow particularized design standards to address the unique environmental conditions of waterfront and mountaintop developments which may differ from standard design objectives.
4. Locate new development in areas with similar densities and compatible uses.
5. The adverse impacts of new development on adjacent areas should be minimized.
6. Consider the protection of natural resources, rural features and surrounding uses of the community in the design and location of new development.

Not In Conflict

Evidence in the Record:

Adopted the staff analysis as written in the staff report.

Zoning Commission:

Agriculture

Policies:

1. Continue allowing residential uses consistent with the allowable density in Agricultural zoning districts.
2. Protect agricultural uses and activities from land use conflicts or interference created by residential, commercial or industrial development
3. Enable farm-based family businesses on agricultural parcels with land use regulations. Examples include farm stands and other agri-business pursuits.
4. The County acknowledges the provisions of Idaho State's Right to Farm Act. Those shall be considered in the land use decisions.
5. Support the local economy by encouraging production, distribution, and retail sales of locally grown food and other agricultural products.
6. Protect environmental quality so that agriculture continues to be a viable use in the County.

Zoning Commission:**Not In Conflict**

Evidence in the Record:

Adopted the staff analysis as written in the staff report.

LAND USE DECISION-MAKING WORKSHEET

CONDITIONAL USE PERMIT

PUBLIC UTILITY FACILITY



Idaho Code §67-6535 (2): *The approval or denial of any application required or authorized pursuant to this chapter shall be in writing and accompanied by a reasoned statement that explains the criteria and standards considered relevant, states the relevant contested facts relied upon, and explains the rationale for the decision based on the applicable provisions of the comprehensive plan, relevant ordinance and statutory provisions, pertinent constitutional principles and factual information contained in the record.*

STANDARDS FOR CONDITIONAL USE PERMIT REVIEW:

Prior to approving a conditional use permit, the governing body shall review the particular facts and circumstances of each proposed conditional use permit in terms of the following standards and shall find adequate evidence showing that such use at the proposed location will:

BCRC 12-223: The Zoning Commission or Hearing Examiner shall review the particular facts and circumstances of each proposal submitted. To grant a conditional use permit, the Zoning Commission or Hearing Examiner must find that the proposal is not in conflict with the policies of the comprehensive plan, as found in the adopted Implementation Component, and that the proposed use will neither create a hazard nor be dangerous to persons on or adjacent to the property.

Is in conflict
List the relevant evidence from the record that supports your conclusion and the rationale for the conclusion.
Zoning Commission:
A submitted study shows that property values can decline 20-30% in this area when sewer treatment plants are built. Approval of this request will cause values to decline in Bonner County and help increase property values in Kootenai County in both the short and long term. A long-term consequence is losing control jurisdiction of the property. Quality of life will decrease because people will have to visit doctors more frequently as stated in public testimony.

BCRC 12-335 Public Use Table 3-5

Use	Zoning District								
	F	A/F	R	S	C	I	RSC	REC	AV
Public utility facility (6), (11)	C	C(3)	C(3)	C	C	C	C	C	C

(3) Where access to the site is by road, the road shall be located within a recorded easement or public right-of-way, and constructed to the appropriate standard set forth in title 2 of this Code or [appendix A](#) of this title, except where subject to the terms of an approved special use permit issued by a State or Federal agency.

YES

List the relevant evidence from the record that supports your conclusion and the rationale for the conclusion.

Zoning Commission:

Adopt the staff report as written.

(6) Specified conditions with respect to emissions of noise, light, glare, smoke, odor, dust, particulate matter, vibrations or hours of operation may be prescribed differently from those required in a given district, as to be compatible with other applicable State and Federal standards.

NO

List the relevant evidence from the record that supports your conclusion and the rationale for the conclusion.

Zoning Commission:**Odor:**

If there are winds there is no way to control the odor, because there is no way of controlling the wind.

Particulate matter:

Particulate matter studies have not been submitted and there is no evidence in the record that demonstrates that adjacent property owner will not be affected by any trespassing matter.

(11) The area of land covered by buildings shall not exceed 35 percent of the total lot area. The site area shall be sufficient to accommodate the facility and required parking, setbacks, landscaping, walkways and other applicable development standards. The public utility facility lot or parcel is not required to meet the minimum lot/parcel size of the zoning district in which it is located. In considering applications, the Planning or Zoning Commission shall consider the public convenience and necessity of the facility and any adverse effect that the facility will have upon properties in the vicinity, and may require such reasonable restrictions, or conditions of development; or protective improvements as to uphold the purpose and intent of this title and the comprehensive plan. A sewage management agreement shall be approved and executed prior to the issuance of a conditional use permit for subsurface sewage disposal systems serving 10 or more residential dwelling units or designed with a capacity of 2,500 gallons or more per day.

YES
List the relevant evidence from the record that supports your conclusion and the rationale for the conclusion.
Zoning Commission: Adopt the staff report as written.

Subchapter 4.2, BCRC 12-241 Performance standards for all uses:

No land or building in any district shall be used or occupied in any manner creating dangerous, injurious, noxious or otherwise objectionable conditions which could adversely affect the surrounding areas or adjoining premises, except that any use permitted by this title may be undertaken and maintained if acceptable measures and safeguards to reduce dangerous and objectionable conditions to acceptable limits as established by the following performance requirements:

- Fire Hazards
- Radioactivity or Electrical Disturbance
- Noise "Objectionable noise"
- Vibration
- Air Pollution
- Water Pollution

NO
List the relevant evidence from the record that supports your conclusion and the rationale for the conclusion.
Zoning Commission: Fire hazards Radioactivity or Electrical Disturbance Noise "Objectional noise"

Vibration

Air Pollution- odor and particulate matter can leave the site.

Water Pollution-

Subchapter 4.3, BCRC 12-432, Parking standards: Table 4-3 minimum off street parking requirements for public uses:

There is no requirement for minimum off-street parking spaces for a Public Utility Facility. If required, the site has sufficient area to accommodate parking for the proposed use.

YES

List the relevant evidence from the record that supports your conclusion and the rationale for the conclusion.
--

Zoning Commission:

Adopt the staff report as written.

Subchapter 4.4- BCRC 12-441-Sign Standards:

- A. All signs erected, altered or maintained pursuant to this title will comply with the regulations herein, except for political signs or posters, traffic control signs and directional signs maintained by government entities.

YES

List the relevant evidence from the record that supports your conclusion and the rationale for the conclusion.
--

Zoning Commission:

Adopt the staff report as written.

BCRC 12-4.5, et seq, Design standards:

BCRC 12-451 Applicability: The standards in section 12-453 of this chapter shall apply to all new development in the commercial, industrial where commercial uses and services are proposed, and rural service center districts and all other commercial, multi-family, public and industrial development in other zoning districts unless otherwise noted.

YES
List the relevant evidence from the record that supports your conclusion and the rationale for the conclusion.
Zoning Commission: Adopt the staff report as written.

BCRC 12-452 Site and Buildings: The applicant shall submit site and building plans through the applicable permit process detailed as necessary to demonstrate how the standards in section 12-453 of this chapter have been met.

YES
List the relevant evidence from the record that supports your conclusion and the rationale for the conclusion.
Zoning Commission: Adopt the staff report as written.

BCRC 12-453.A. Sidewalk/Pathway Standards: Provide a sidewalk or pathway paralleling or nearly paralleling the street along the front edge of the property. The planning director may grant an exception to the above requirement if the following criteria are met, as determined by the planning director:

YES
List the relevant evidence from the record that supports your conclusion and the rationale for the conclusion.
Zoning Commission: Adopt the staff report as written.

BCRC 12-453.B. Pedestrian Connections: Provide walkways connecting all on site commercial and multi-family buildings with each other and the street for all new developments and any building additions where the value of the additions equals or exceeds fifty percent (50%) of the market value of the existing structure and/or site improvements as determined by the Bonner County assessor's office over any five (5) year time period. For other additions or improvements, pathways shall be provided to connect any new structures with existing structures, as determined by the planning director. Buildings/uses where little or no pedestrian traffic is anticipated may be exempted from this requirement.

YES
List the relevant evidence from the record that supports your conclusion and the rationale for the conclusion.
Zoning Commission: Adopt the staff report as written.

BCRC 12-453.C. Parking Lot Pathways- Specifically, walkways should be provided every four (4) rows and a maximum distance of one hundred fifty feet (150') shall be maintained between paths. Parking lots less than one hundred fifty feet (150') wide or long are exempt from this requirement:

YES
List the relevant evidence from the record that supports your conclusion and the rationale for the conclusion.
Zoning Commission: Adopt the staff report as written.

BCRC 12-453.D. Parking Location Guidelines- New developments are encouraged to locate parking areas to the side or rear of buildings. For large sites (more than 2 acres), developments are encouraged to limit parking areas to no more than fifty percent (50%) of the lot frontage (other areas may be buildings and/or open space)

YES
List the relevant evidence from the record that supports your conclusion and the rationale for the conclusion.
Zoning Commission: Adopt the staff report as written.

BCRC 12-453.E. Main Building Entry Standards for Commercial Uses- Accessory building entrances, service only entrances and secondary residence entrances are exempted from this requirement:

YES
List the relevant evidence from the record that supports your conclusion and the rationale for the conclusion.
Zoning Commission:

Adopt the staff report as written.

BCRC 12-453.F. Lighting Standards: Lighting shall be directed downward to the intended area to be lighted. All exterior lighting fixtures shall incorporate cutoff shields to prevent spillover into residential areas. Broadcast lighting fixtures that project lighting outward rather than downward are discouraged. Outdoor lighting shall be arranged so that the light is directed downward and away from adjoining properties. Temporary high intensity construction lights should be oriented so as to reduce or eliminate glare onto adjoining properties.

YES

List the relevant evidence from the record that supports your conclusion and the rationale for the conclusion.

Zoning Commission:

Adopt the staff report as written.

BCRC 12-4.6, Landscaping and screening standards:

BCRC 12-461: This standard is only applicable for new development in the commercial, industrial and rural service center districts and all other commercial, multi-family, public and industrial development in other districts unless otherwise noted.

BCRC 12-465(B)(2): The planning director may allow exceptions to the width and type of landscaping buffer requirements where it can be successfully demonstrated by the landowner or landowner's design professional that the buffer is not needed for privacy to and from current or future adjacent uses due to unique natural conditions on the site. This can include slopes, rock outcroppings or existing native vegetation.

YES

List the relevant evidence from the record that supports your conclusion and the rationale for the conclusion.

Zoning Commission:

Adopt the staff report as written.

BCRC 12-7.2, Grading, stormwater management and erosion control

BCRC 12-720.2 Applicability

The provisions of this subchapter shall be applicable:

BCRC 12-720.2 All public projects, including road construction, undertaken by Bonner County, or undertaken by any other political subdivision of the state of Idaho or public agency over which Bonner County asserts jurisdiction through this title and title 11 of this code, as amended.

YES
List the relevant evidence from the record that supports your conclusion and the rationale for the conclusion.
Zoning Commission: Adopt the staff report as written.

BONNER COUNTY PLANNING DEPARTMENT ZONING COMMISSION STAFF REPORT FOR FEBURARY 26, 2026



Project Name: City of Spirit Lake wastewater treatment facility

File: CUP0007-25 Conditional Use Permit

Request: The applicant is requesting a conditional use permit for a public utility facility

Legal Description: 30-54N-4W SE LESS TAX 5 KANIKSU NATIONAL FOREST

Location: Spirit Lake Cutoff, Spirit Lake

Parcel Number: RP54N04W307201A

Parcel Size: 158.74 acres

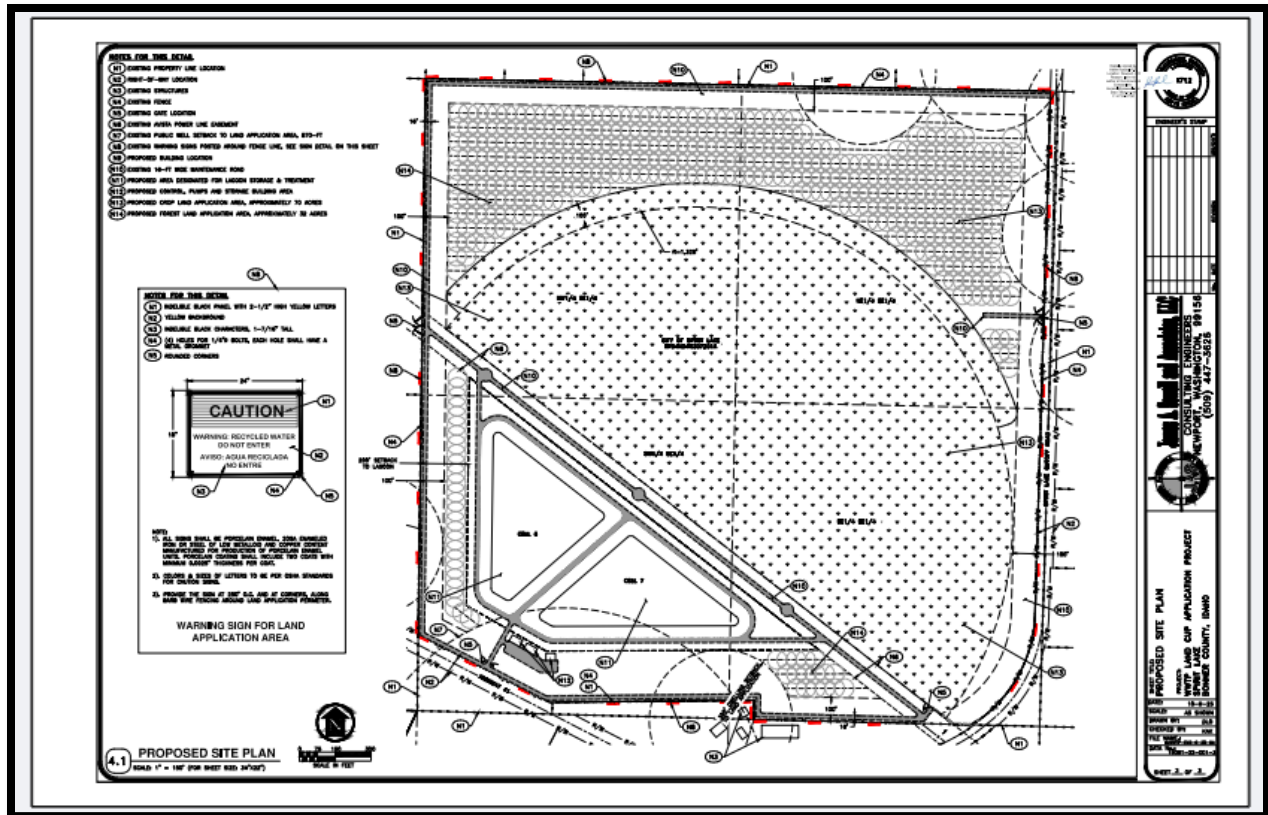
Applicant and Property Owner: City of Spirit Lake
6042 West Maine St.
Spirit Lake, ID 83869

Project Representatives: Kevin Koesel
James A. Sewell & Associates, LLC
600 4th St. West
Newport, WA 99156

Application filed: October 10, 2025

Notice provided: Mail: AOI December 26, 2025/ January 20, 2026
Site Posting: January 20, 2026
Published in newspaper: January 20, 2026

Appendices: Appendix A- Agency Noticing
Appendix B- Agency Comment



Project summary:

The applicant is requesting a conditional use permit for a public utility facility to accommodate a wastewater treatment plant. The site is located near the intersection of Spirit Lake Cutoff and Highway 41. The site is ± 158.74 acres and currently zoned Rural-10. The site is currently vacant.

Applicable laws:

The following sections of BCRC, Title 12, apply to this project:

- BCRC 12-220, et seq, Conditional use permit, application and standards
- BCRC 12-335, Public Utility Facility
- BCRC 12-4.2, Performance standards for all uses
- BCRC 12-4.3, Parking standards
- BCRC 12-4.4, Sign standards
- BCRC 12-4.5, Design standards
- BCRC 12-4.6, Landscaping and screening standards
- BCRC 12-7.2, Grading, stormwater management and erosion control

Background:

A. Site data:

- Unplatted parcel
- Size: ±158.74 acres
- Zone: Rural-10
- Land Use: Ag/Forest Land

B. Access:

- Highway 41 is a State of Idaho owned and maintained paved right-of-way. Spirit Lake Cutoff is paved Bonner County owned and maintained right-of-way.

C. Environmental factors:

- Site does contain mapped slopes of 0-29% grade. (USGS)
- Site does not contain mapped wetlands. (USFWS)
- Site does not contain any mapped water courses.
- Parcel is within SFHA Zone D per FIRM Panel Number 16017C1325E Effective Date 11/18/2009.

D. Services:

- Water: N/A
- Sewage: N/A
- Fire: Spirit Lake Fire District
- Power: Avista Utilities
- School District: West Bonner County School District #83

E. Comprehensive Plan, Zoning and Current Land Use:

Compass	Comp Plan	Zoning	Current Land Use & Density
Site	Ag/Forest land/ Rural Residential	Rural-5 & Rural-10	Vacant- 158.74 acres
North	Rural Residential	Rural-5	SFD/Vacant- 5 to 20 acres
East	Rural Residential	N/A	Highway 41
South	Transition	Rural-5/ Industrial	SFD/ Commercial- 4.2 to 7.6 acres
West	Rural Residential	Rural-5	SFD/ Vacant- 5 to 60 acres

F. Agency Review

This proposal is within the Area of Impact for City of Spirit Lake, the city was notified of the proposal on December 26, 2025. All other agencies and taxing districts were notified of this application on January 20, 2026. A full list of the public agencies can be found in the attached Appendix A. Agency comments can be found in the attached Appendix B.

The following agencies commented:

- Idaho Department of Water Resources

The following agencies replied “No comment”:

- Idaho Transportation Department
- Kootenai Ponderay Sewer District
- Idaho Department of Fish & Game

No other agencies, notified of the request, replied.

Public Comments:

As of the date of this staff report, public comments were received on the request.

Standards Review and Staff Analysis:

BCRC 12-220, This subchapter establishes criteria for conditional uses in a zoning district.

BCRC 12-222: Application Contents

Staff: The applicant provided all required information to deem the application complete. Planning Staff deemed the application complete on October 10, 2025.

BCRC 12-223: The Zoning Commission or Hearing Examiner shall review the particular facts and circumstances of each proposal submitted. To grant a conditional use permit, the Zoning Commission or Hearing Examiner must find that the proposal is not in conflict with the policies of the comprehensive plan, as found in the adopted Implementation Component, and that the proposed use will neither create a hazard nor be dangerous to persons on or adjacent to the property.

BCRC 12-335: Public Use Table 3-5

Use	Zoning District								
	F	A/F	R	S	C	I	RSC	REC	AV
Public utility facility (6), (11)	C	C (3)	C (3)	C	C	C	C	C	C

(3) Where access to the site is by road, the road shall be located within a recorded easement or public right-of-way, and constructed to the appropriate standard set forth in title 2 of this Code or [appendix A](#) of this title, except where subject to the terms of an approved special use permit issued by a State or Federal agency.

Staff: Access to the site will be off Highway 41. Highway 41 is an Idaho State owned and maintained paved right-of-way. When notified of the project Idaho Department of Transportation replied with “no comment”.

(6) Specified conditions with respect to emissions of noise, light, glare, smoke, odor, dust, particulate matter, vibrations or hours of operation may be prescribed differently from those required in a given district, as to be compatible with other applicable State and Federal standards.

Staff: The facility is proposed to maintain a 100-foot treed buffer on all property boundaries. This treed buffer will help to mitigate aerosols and odors to adjoining parcels.

Noise: Noise associated with this use is generated from electrical motors used for equipment on site. The code does not regulate objectional noise at the property line for public land uses.

Light: Lighting is proposed for parking area and attached to building on the site for safety purposes. Lighting shall follow the standards in BCRC 12-453(F).

Glare: Glare caused from lighting is unlikely to trespass to adjacent parcels.

Smoke: Smoke is typically not associated with sewer treatment facilities.

Odor: To mitigate any odors associated with this use the applicant has proposed to install aerators to keep the water from stagnating. Per the applicant, the aerators will help to oxygenate the water. This process also helps to reduce any odor that typically occurs during spring thaw.

Dust: Dust is typically not associated with sewage treatment facilities. Any dust that could be generated on site is from vehicles entering and exiting the property and use of maintenance roads on site. Fugitive dust is not anticipated to leave the site.

Particulate matter: The proposed tree buffer could help reduce any particulate matter from the land application process from adversely affect adjacent properties.

Vibration: This use typically does not cause vibration.

Hours of operation: One employee will be accessing the site for 40 hours per week, Monday- Friday, 7:00-4:30. The facility will be operational 24 hours a day 7 days a week.

(11) The area of land covered by buildings shall not exceed 35 percent of the total lot area. The site area shall be sufficient to accommodate the facility and required parking, setbacks, landscaping, walkways and other applicable development standards. The public utility facility lot or parcel is not required to meet the minimum lot/parcel size of the zoning district in which it is located. In considering applications, the Planning or Zoning Commission shall consider the public convenience and necessity of the facility and any adverse effect that the facility will have upon properties in the vicinity, and may require such reasonable restrictions, or conditions of development; or protective improvements as to uphold the purpose and intent of this title and the comprehensive plan. A sewage management agreement shall be approved and executed prior to the issuance of a conditional use permit for subsurface sewage disposal systems serving 10 or more residential dwelling units or designed with a capacity of 2,500 gallons or more per day.

Staff: The parcel is ±6,885,480sq.ft., three (3) structures are proposed on site that total ±4192sq.ft.. The allowed square footage for this proposal to reach 35% lot coverage is ±2,409,918sq.ft. The submitted site plan shows the proposal may accommodate applicable developments standards of this code. The applicant has provided an approved 2018 wastewater facility report for the

current facility that is south of this proposal that is meeting DEQ standards. A new wastewater facility plan is currently under review and approval from DEQ.

Subchapter 4.2, BCRC 12-241 Performance standards for all uses:

No land or building in any district shall be used or occupied in any manner creating dangerous, injurious, noxious or otherwise objectionable conditions which could adversely affect the surrounding areas or adjoining premises, except that any use permitted by this title may be undertaken and maintained if acceptable measures and safeguards to reduce dangerous and objectionable conditions to acceptable limits as established by the following performance requirements:

- Fire Hazards
 - Radioactivity or Electrical Disturbance
 - Noise "Objectionable noise"
 - Vibration
 - Air Pollution
 - Water Pollution
- **Staff:** The application was reviewed against these standards, and no special requests were made. The requested use is unlikely to result in:
 - Fire Hazards
 - Radioactivity or Electrical Disturbance
 - Noise "Objectionable noise"
 - Vibration
 - Air Pollution
 - Water Pollution

Subchapter 4.3, BCRC 12-432, Parking standards: Table 4-3 minimum off street parking requirements for public uses:

Staff: There is no requirement for minimum off-street parking spaces for a Public Utility Facility. If required, the site has sufficient area to accommodate parking for the proposed use.

Subchapter 4.4- BCRC 12-441-Sign Standards:

- A. All signs erected, altered or maintained pursuant to this title will comply with the regulations herein, except for political signs or posters, traffic control signs and directional signs maintained by government entities.

Staff: The applicant is a governmental agency and is exempt from this requirement. The proposed signage to be installed gives directions to persons not to enter the facility.

BCRC 12-4.5, et seq, Design standards:

- **BCRC 12-4.5 Design Standards**
 - **BCRC 12-451 Applicability:** The standards in section 12-453 of this chapter shall apply to all new development in the commercial, industrial

where commercial uses and services are proposed, and rural service center districts and all other commercial, multi-family, public and industrial development in other zoning districts unless otherwise noted.

Staff: The standards of this subchapter are applicable to this proposal for a Public Utility Facility in the Rural-10 zoning district.

- **BCRC 12-452 Site and Buildings:** The applicant shall submit site and building plans through the applicable permit process detailed as necessary to demonstrate how the standards in section [12-453](#) of this chapter have been met

Staff: BCRC 11-101 requires Building Location Permits (BLP) for structures. The proposed structures will require a BLP and meet requirements of this code.

- **BCRC 12-453.A. Sidewalk/Pathway Standards:** Provide a sidewalk or pathway paralleling or nearly paralleling the street along the front edge of the property. The planning director may grant an exception to the above requirement if the following criteria are met, as determined by the planning director:

Staff: The planning director determined this standard is not applicable to this proposal per BCRC 12-453.A.1 and BCRC 12-453.A.2. Adjacent properties or properties along the applicable street frontage are not zoned for commercial uses. Structures on the site are not proposed to be on or near the street.

- **BCRC 12-453.B. Pedestrian Connections:** Provide walkways connecting all on site commercial and multi-family buildings with each other and the street for all new developments and any building additions where the value of the additions equals or exceeds fifty percent (50%) of the market value of the existing structure and/or site improvements as determined by the Bonner County assessor's office over any five (5) year time period. Buildings/uses where little or no pedestrian traffic is anticipated may be exempted from this requirement.

Staff: This proposal is exempt from this standard as this is a proposal for a wastewater treatment facility where no pedestrian traffic is anticipated.

- **BCRC 12-453.C. Parking Lot Pathways-** Specifically, walkways should be provided every four (4) rows and a maximum distance of one hundred fifty feet (150') shall be maintained between paths. Parking lots less than one hundred fifty feet (150') wide or long are exempt from this requirement:

Staff: This is a proposal for a Public Utility Facility where little or no vehicular traffic is expected. The proposed parking area is less than 150' wide and long therefore exempt from this requirement.

- **BCRC 12-453.D. Parking Location Guidelines-** New developments are encouraged to locate parking areas to the side or rear of buildings. For large sites (more than 2 acres), developments are encouraged to limit parking areas to no more than fifty percent (50%) of the lot frontage (other areas may be buildings and/or open space)

Staff: This is a proposal for a Public Utility Facility where little or no vehicular traffic is expected. As per BCRC 12-4.3 Parking Standards, there are no parking requirements for the proposed use and thus, no parking location requirements either.

- **BCRC 12-453.E. Main Building Entry Standards for Commercial Uses-** Accessory building entrances, service only entrances and secondary residence entrances are exempted from this requirement:

Staff: This is a request for a Public Utility Facility. This standard does not apply to this project.

- **BCRC 12-453.F. Lighting Standards:** Lighting shall be directed downward to the intended area to be lighted. All exterior lighting fixtures shall incorporate cutoff shields to prevent spillover into residential areas. Broadcast lighting fixtures that project lighting outward rather than downward are discouraged. Outdoor lighting shall be arranged so that the light is directed downward and away from adjoining properties. Temporary high intensity construction lights should be oriented so as to reduce or eliminate glare onto adjoining properties.

Staff: Exterior lighting has been proposed as part of this project. The lighting is proposed to be attached to maintenance buildings. All lighting shall be directed downward to the intended area to be lit.

- **BCRC 12-453.G. Blank Wall Treatment Standards:** Untreated "blank walls", as defined in section [12-802](#) of this title, adjacent to a street or customer/resident parking areas are prohibited. **See Conditions of Approval**

Staff: This is a proposal for a Public Utility Facility. This standard does not apply to this project.

- **BCRC 12-453.H. Maximum Building Width:** For all building facades adjacent to a street or customer/resident parking areas, the maximum building width shall be one hundred twenty feet (120')

Staff: The width of the proposed buildings are less than 120 feet. The proposal meets these standards.

- **BCRC 12-453.I. Recreational Space for Multi-family Developments**

Staff: This is a proposal for a Public Utility Facility. These standards do not apply to this project.

- **BCRC 12-453.J. Outdoor Storage-** Outdoor storage of commercial and industrial materials:

Staff: No outdoor storage is proposed as part of this application. These standards do not apply to this project.

- **BCRC 12-453.K. Solid Waste, Recycling Collection Areas-** All solid waste and recycling collection areas for commercial, industrial and multi-family residential uses:

Staff: This is a proposal for a Public Utility Facility. These standards do not apply to this project.

BCRC 12-4.6, Landscaping and screening standards:

BCRC 12-461: This standard is only applicable for new development in the commercial, industrial and rural service center districts and all other commercial, multi-family, public and industrial development in other districts unless otherwise noted.

BCRC 12-465(B)(2): The planning director may allow exceptions to the width and type of landscaping buffer requirements where it can be successfully demonstrated by the landowner or landowner's design professional that the buffer is not needed for privacy to and from current or future adjacent uses due to unique natural conditions on the site. This can include slopes, rock outcroppings or existing native vegetation.

Staff: The applicant has proposed leaving existing trees on the property. These trees appear to exceed the landscaping buffering requirements of the code. Therefore, according to BCRC 12-465(B)(2) this proposal is exempt from landscaping requirements.

BCRC 12-7.2, Grading, stormwater management and erosion control

BCRC 12-720.2 Applicability

The provisions of this subchapter shall be applicable:

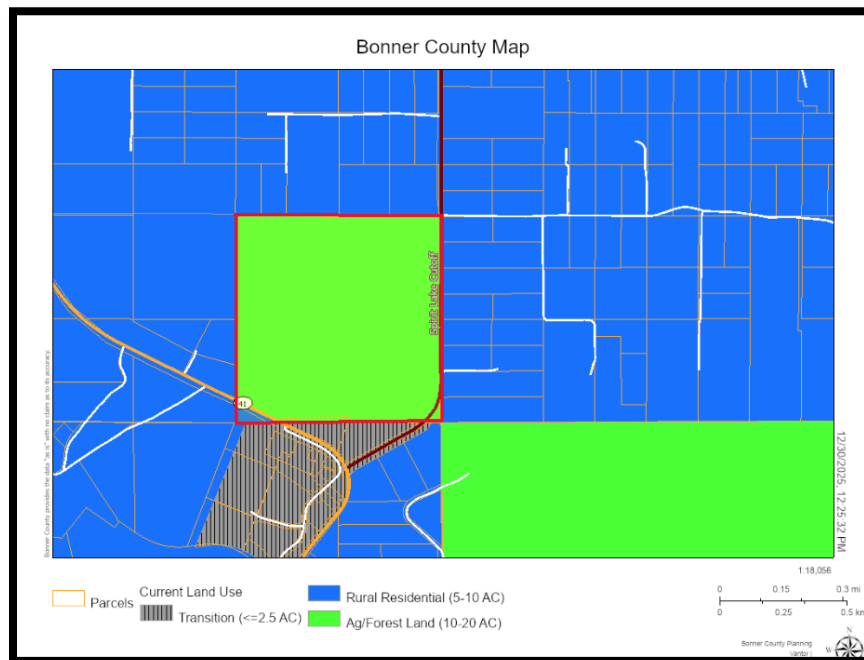
BCRC 12-720.2 All public projects, including road construction, undertaken by Bonner County, or undertaken by any other political subdivision of the state

of Idaho or public agency over which Bonner County asserts jurisdiction through this title and title 11 of this code, as amended.

Staff: A stormwater management plan will be required, pursuant to BCRC 12-720.2(C) **See Conditions of Approval**

G. Comprehensive Plan Land Use Designation:

Ag/Forest Land:



Ag/Forest Land: The Ag/Forest Land designation recognizes areas where steeper slopes prevail (30% or greater) and transportation is provided by private roads or U.S. Forest Service or state roads. Urban services are not available and residential development challenges are present due to slope, poor soil conditions, hazards areas and lack of police or fire services.

Comprehensive Plan Analysis:

Property Rights

Policies:

1. Follow the attorney general's checklist, prescribed at Idaho Code §67-8003 and provided in the "Property Rights" component of the county's comprehensive plan, for all land use decisions.

2. Adopt a reasoned statement and conclusions of law, in accordance with Idaho Code 67-6535, for all quasi-judicial land use decisions that reflect the justifications for

exactions, conditions and restrictions and confirm that a taking of private property has not occurred.

3. In all land use decisions, consider the property rights of the applicant, adjoining and nearby landowners and future generations, as well as the short-term and long-term consequences of decisions.

4. Review all rezoning requests (down-zoning and up-zoning) pursuant to the Idaho State Code, Title 67, Chapter 65 – Local Land Use Planning Act. The approval of conditional rezoning or denial of a request for rezoning is subject to the regulatory taking analysis provided for by Idaho Code Section 67-8003.

Staff: Upholding property rights and complying with Idaho state law the above policies allows the governing body to make informed, fair, and legally sound land use decisions that protect property rights.

Population

Policies:

1. Regularly analyze population projections to determine if changes need to be made to the Comprehensive Plan Goals, Objectives and Policies and/or the Zoning Ordinance, to ensure that the public and community needs are being met through land use decisions.

2. Use population forecasts and census data to evaluate housing and impacts to the transportation system and other county services.

3. Cooperate with incorporated cities and neighboring counties to address growth challenges within the Areas of Impact and coordinate planning efforts to the extent possible.

Staff: The 2020 census placed Bonner County's population at 47,110. Bonner County, established in 1907, now has over 100 years of population data. The county grew by fewer than 2,000 people over the first 60 years of its existence. Between 1990 and 2000, Bonner County increased in population by 38.4 percent, but by the 2010 census, the growth slowed to an 11 percent increase over 10 years. From 2010 to 2020 the population grew by 13 percent and the estimated increase from 2020 to 2021 was 3.4 percent or 49,491.

School Facilities and Transportation

Policies:

1. Current data regarding school capacity and transportation issues as provided by the School Districts will be included in the assessment of all land use proposals.

2. Consider the impacts of land use proposals on the school service and seek mitigation from developers such as providing facilities, safety features, or other measures as permitted by Idaho Code, to address the impacts of the proposals.
3. Encourage school districts to proactively review development applications to determine particular school needs and concerns.
4. Encourage construction of trails and bicycle paths to allow safe passage of students to and from schools.
5. Consider the long-term consequences of land use proposals, including the adequacy of existing school facilities, transportation services, and the siting of future schools.

Staff: West Bonner School District #83 and School Transportation that serves the properties, were notified of the Public Utility Facility. West Bonner School District did not comment as to how an increase in density and development could impact on the district's ability to provide adequate school services (and facilities) for new and existing students. The Transportation department did not provide a comment. Bonner County currently assesses property taxes; a portion of that revenue goes to the school's general fund. This project does not appear to be in conflict with these policies.

Economic Development

Policies:

1. Allow small scale cottage businesses and home occupations in all areas of the county. Set reasonable conditions on such uses to minimize adverse impacts to the neighborhood based on factors including, but not limited to, hours of operation and traffic volume generated by the business.
2. Develop land use regulations to allow the county's agricultural heritage to be maintained by enabling local food production, distribution, congregation, and retail sales. Examples include community gardens, school gardens, farm related education programs, farmers or public markets, and other small-scale, collaborative initiatives.
3. Develop standards for commercial and industrial development that are appropriate for the surrounding community, including: appropriate site sizes, use types, buffering and design standards that encourage both attractive and efficient function while protecting the environment.
4. Mitigate the potential impacts of economic development activities that cause adverse factors such as noise, light glare, odors, fumes and vibrations on the surrounding community.
5. Support local economic development by increasing support for outdoor recreation in the county. Encourage and protect public access to public lands and water, while protecting the surrounding areas from adverse impacts through mitigation and standards.

6. Allow for campgrounds and recreational uses while protecting the surrounding areas from adverse impacts through mitigation and standards.

7. Support local businesses by enabling development of workforce housing in proximity to commercial, industrial, agricultural, and recreational uses, through review and updating of land use regulations.

Staff: Bonner County's land use regulations provide a comprehensive framework that supports small-scale businesses, preserves agricultural heritage, promotes sustainable development, and facilitates the integration of employee housing with commercial, industrial, and agricultural uses. The county's approach balances the needs of diverse land uses while addressing potential impacts on the community and environment, fostering a vibrant and sustainable future for its residents. This use does not appear to be in conflict of this component.

Land Use

Policies:

1. Develop and maintain a Future Land Use Map and Land Use Regulations that acknowledge and preserve the County's agricultural, timber and mining lands, water and wildlife resources, and identify and avoid hazard areas. Provide areas for economic growth, encourage affordable housing and center growth in areas where adequate public and private services can be provided.

2. Encourage clustered development for medium and large scale commercial and industrial uses.

3. Commercial and industrial uses should be located and operated in a manner to ensure the protection of our natural resources including clean air and water, dark skies, and overall environmental quality and rural character of the county.

4. Reflect in the use tables that commercial and industrial uses should be unconditionally permitted in areas identified by the Comprehensive Plan as suitable and zoned for those uses. Evaluation of suitability should be based on availability of urban services, adequate access to hard surfaced publicly maintained roads and other factors that may impact the surrounding community.

5. Reflect in the use tables that commercial and industrial uses may be conditionally permitted in areas not identified for such uses in the Comprehensive Plan if a critical review of the proposed use determines that with appropriate conditions the use will not adversely impact the surrounding area.

6. Based upon the land use analysis completed in 2025, a sufficient number of residential parcels exist or could be created within current zoning density. Therefore, modification of zoning to provide increased density should be rare.

7. Land use applications should be supported by a review, evaluation, or approval by the applicable state agency for sanitary services.

8. Consider avenues to create incentives for land conservation through zoning and subdivision laws to preserve various significant archaeological, ecological, historical, wildlife, and scenic sites that have been recognized in the county as unique and important to preserve.

9. Minimize the creation of lots that cannot receive the appropriate sanitary services.

10. Maintain the Alpine Village zoning district to provide adequate design and development standards for the high-density recreational community with steep slopes and heavy snowfall at elevations above 3500'.

11. Urban development is better suited in urban areas. Idaho Code 67-6502 (a through m) promotes the health, safety and general welfare of the people of the state. Subsection (f) encourages urban and urban type development within incorporated cities. All nine cities within the county provide or are associated with urban water and sewer systems which allow and depend on higher density to make the services fiscally feasible and sustainable.

12. Due to the wildfire threat in the county, consider evacuation routes when making land use decisions and updating land use code.

13. The mapping of land use designations should have homogeneity with the surrounding area. Areas have specific, individual land use designations which results in homogeneity across the landscape. Islands of different land use designations defy the sense of rural context, especially if the land uses are markedly dissimilar.

14. The land uses describe the general uses and characteristics of each of the map designations. Since the Comprehensive Plan Map covers approximately 1.1 million acres, the map is general in nature, and it is recognized that some areas may have or may lack features and characteristics that cause them to differ somewhat from what is in their land use description. It is not reasonable to expect that every parcel within a land use designation will conform to every detail of the geographic characteristics of the area as a whole.

Staff: The code permits Public Utility Facility as a Conditional Use in areas zoned Rural Residential. The use helps protect natural features of the area like open space and dark skies. The proposed use could help contribute to higher density be developed within incorporated cities that might add to the affordable housing options in the area. This requested does not appear to be in conflict with the plan.

Natural Resources

Policies:

1. Institute best management practices for waterway setbacks to reduce erosion and sedimentation into waterways.

2. Design development standards that encourage clustered development resulting in the preservation of open space and wildlife habitat.

3. Recognize critical wildlife habitats, as identified by US Fish and Wildlife, and create development standards to protect these areas and mitigate development impacts to these habitats.
4. Protect water quality by creating standards for development in close proximity to shorelines.
5. Provide a copy (physical copy or digital link) of the Lake Assist Guidebook to property owners or their representatives applying for a building location permit on shoreline properties. Make a digital link to the Guidebook available via the Planning Department web page.
6. Implement shoreline development land use regulations that address those areas where the County can enforce such regulations effectively.
7. To the extent of the County's jurisdiction, and consistent with the Clean Water Act, protect delineated wetlands.
8. Identify and protect productive farmland, timberland and mining lands from adverse effects of adjoining developments.

Staff: Bonner County has adopted and implemented regulations that protect waterways and wetlands from pollution, erosion and sedimentation. These measures also protect Bull Trout which is the only mapped critical wildlife in Bonner County. Spirit Lake is not considered a habitat for Bull Trout. The closest mapped area is approximately 12 miles from the proposal.

Hazardous Areas

Policies:

1. Adopt flood mitigation standards that meet or exceed the National Flood Insurance Program minimum requirements.
2. Discourage residential, commercial or industrial development within floodways.
3. Discourage fill within the floodplain.
4. Integrate the county's wildland fire policies and plans into development standards.
5. Identify and discourage developments on excessive slopes with lower density zoning in these areas.
6. Establish regulation and development densities of new development in floodplains. Regulate the location and density of new development in floodplains to reduce the potential for the loss of lives and property in those areas.
7. Land divisions should be designed to reduce exposure to wildland fire and to provide for adequate ingress and egress routes as determined by the applicable Fire Authority Having Jurisdiction.

8. Discourage the issuance of building location permits within areas of excessive slopes, unstable areas and avalanche zones.

Staff: The subject lot are not located within a mapped floodway or flood hazard zone. The parcel does contain mapped slopes of 0-14% grade. According to the Avalanche Hazards map found in the Hazardous Component (p.7) this area is mapped as low avalanche danger. Furthermore, emergency services are provided to this parcel by the Spirit Lake Fire District and Bonner County Sheriff's Department.

Public Services, Facilities and Utilities

Policies:

1. Encourage high-density development to take place within the boundaries of existing sewer and water districts with adequate capacity.
2. Seek comments from existing service providers on their ability to serve future developments without adversely impacting the ability of the utility providers to serve current users.
3. Provide adequate facilities for responsible disposal of solid waste to protect the health and welfare of the public as well as the County's natural resources.
4. New development should be adequately served by fire protection, roads, sanitary services, schools, law enforcement, ambulance, power and emergency services, and other public services as determined by the relevant service provider.
5. Require developers to provide infrastructure, utilities or financial support to offset the capital costs of expansion of services required by the proposed development.
6. Require adequate provisions for future utility services in areas of commercial, industrial, residential or other similar uses.

Staff: This proposal is not for residential development. This proposal is to increase capacity of an existing sewer district. The facility is not expected to have negative impact on other services. Furthermore, the property is afforded emergency services provided by Bonner County EMS, Bonner County Sheriff's Department, and Spirit Lake Fire District. These agencies were notified of this proposal.

Transportation

Policies:

1. Develop and regularly update a long-term County highway system plan to ensure reasonable levels of service can be maintained in the future, and that needs for future road extensions or transportation corridors are identified as early as possible.
2. Discourage development in areas that are not served by county standard roads or where transportation is inadequate.

3. Future development should not adversely impact the existing County highway system by significantly reducing the quality or level of service or creating hazards or congestion.
4. Roads are encouraged to be built to County Standards and at the expense of the developer.
5. Roads within new development should provide adequate access for fire and emergency vehicles as well as routes of escape.
6. Future access roads should be designed and built to integrate with the State and County systems of roads without overburdening the County highway system.
7. Encourage cluster development to reduce transportation costs, road building and environmental impacts.
8. The county intends for certain intense land use developments to provide hard surfaced roads.
9. Consider bike ways and pedestrian paths in development plans to provide an integrated community County highway system wherever possible.
10. To communicate and work cooperatively with other jurisdictions within the county to ensure the best possible flow of traffic county-wide.

Staff: The parcel adjacent to Highway 41 and Spirit Lake Cutoff. Highway 41 is a state of Idaho owned and maintained right of way. Spirit Lake Cutoff is a Bonner County owned and maintained paved right of way. No new roads are being proposed for public use or dedication.

Recreation

Policies:

1. Develop a waterways and public land access program to preserve and develop access to public recreational lands and waterways. The program should include retaining access parcels that may be acquired from tax sales or private donations.
2. Protect and encourage public and private recreational opportunities as an important asset that supports a key segment of the County's economy.
3. Consider a plan for a system of green belts and pathways (bike and pedestrian) as areas developed, so that a connected system can be developed and preserved. Under no circumstances will the County require recreational access easements on private property as a condition of development. This policy does not preclude providing voluntary incentives to developers in return for recreational access easements.

4. Ensure the public's legal recreational accesses and amenities are not obstructed or adversely impacted by future development.
5. Adverse impacts of recreational development on adjacent neighborhoods should be mitigated.

Staff: The lot is not adjacent to public lands or provides access to public lands for recreational purposes. Current recreational opportunities for the public that are available in Bonner County are expected to remain the same with this request. The proposal does not appear to be in conflict with the policies of this component.

Special Areas or Sites

Policies:

1. Develop a generalized map of the known pre-historic and historic sites so that future developments are aware of special areas of concern and are connected with the historical society and Native American tribes for appropriate preservation and protection.
2. Implement roadside development standards for recognized scenic byways to protect the view sheds.
3. Recognize and address Special areas when development is proposed in these areas.
4. Confirm if historical structures or sites exist within a land use application area, and if identified coordinate with the applicable agency.

Staff: Bonner County has not developed or adopted a map that identifies pre-historic or historic sites. There are adopted scenic byways in the county, however this proposal is not adjacent to one. No agency that was notified of this request indicated any historical structures or sites on this parcel.

Housing

Policies:

1. Enable development of a variety of housing options including manufactured home parks, and tiny home communities located in areas that are compatible with their density.
2. Coordinate with municipalities and private parties to explore solutions for various types of housing projects and developments in areas appropriate for their level of density.
3. Encourage clustering of housing in developments to save on infrastructure and transportation costs through mechanisms such as density bonuses.

4. Provide opportunities for assisted living and group shelters.
5. Enable temporary and seasonal employee labor housing in direct proximity to agricultural, commercial, recreational, and industrial uses or where infrastructure and emergency services support those uses.

Staff: This proposal could contribute to a variety of housing types and densities in the area. However, the proposal will not directly add to housing inventory in the county.

Community Design

Policies:

1. To promote and preserve the natural features and rural atmosphere of the community, enact development standards that address development within scenic byways and design standards that account for waterfront setbacks, commercial and industrial landscaping, requirements for reduced lighting, cluster development, rural rather than urban setback standards, and other design objectives aimed at preserving the rural, natural character of the community.
2. Allow unique and flexible design standards such that new development within older neighborhoods and historic settlements is compatible with those unique neighborhoods.
3. Allow particularized design standards to address the unique environmental conditions of waterfront and mountaintop developments which may differ from standard design objectives.
4. Locate new development in areas with similar densities and compatible uses.
5. The adverse impacts of new development on adjacent areas should be minimized.
6. Consider the protection of natural resources, rural features and surrounding uses of the community in the design and location of new development.

Staff: The Public Utility Facility could add design flexibility to future developments. Currently the proposal is adjacent to other public, industrial and commercial uses.

Agriculture

Policies:

1. Continue allowing residential uses consistent with the allowable density in Agricultural zoning districts.
2. Protect agricultural uses and activities from land use conflicts or interference created by residential, commercial or industrial development

3. Enable farm-based family businesses on agricultural parcels with land use regulations. Examples include farm stands and other agri-business pursuits.
4. The County acknowledges the provisions of Idaho State's Right to Farm Act. Those shall be considered in the land use decisions.
5. Support the local economy by encouraging production, distribution, and retail sales of locally grown food and other agricultural products.
6. Protect environmental quality so that agriculture continues to be a viable use in the County.

Staff: The property is not in an agricultural zone; however, the proposal will create a 70-acre crop area and maintain an existing 32 acres timber area. These areas will be used as land application areas. Though this use is not anticipated to be used for harvesting it will be maintaining large acreage from development.

Planner's Initials: DB **Date:** February 20, 2026

Note: The final decision rests with the governing body after the completion of the public hearing and consideration of all relevant oral and written testimony and evidence.

Motion by the governing body:

ZONING COMMISSON

DECISION TO APPROVE: I, commissioner (insert name) move to approve this project, FILE CUP0007-25, for a Public Utility Facility, located in Section 30, Township 54 North, Range 4 West, Boise Meridian, finding that it is in accord with the Bonner County Revised Code as enumerated in the following conclusions of law:

Conclusion 1

The proposed conditional use permit **is not** in conflict with the policies of the Comprehensive Plan.

Conclusion 2

This proposal was reviewed for compliance with the criteria and standards set forth in BCRC Title 12 - Chapter 3, Subchapter 3.3; Chapter 4, Subchapter 4.2, 4.3, 4.4, 4.5 and 4.6; Chapter 7, Subchapter 7.2 Bonner County Revised Code.

Conclusion 3

The proposed use **will not** create a hazard and **will not** be dangerous to persons on or adjacent to the property.

This decision is based upon the evidence submitted up to the time the Staff Report was prepared and testimony received at this hearing. I further move to adopt the reasoned statement as discussed in deliberation at this hearing and the analysis as set forth in the Staff Report (or as amended during this hearing) and direct planning staff to draft the reasoned statement to reflect this motion as set forth in Idaho Code section 67-6535, have the Chair sign, and transmit to all interested parties. This action does not result in a taking of private property. The action that could be taken to obtain the approval of the Conditional Use Permit is to complete the Conditions of Approval as adopted.

DECISION TO DENY: I, commissioner (insert name), move to deny this project, FILE CUP0007-25, for a Public Utility Facility, located in Section 30, Township 54 North, Range 4 West, Boise Meridian, based upon the following conclusions:

Conclusion 1

The proposed conditional use permit **is/is not** in conflict with the policies of the Comprehensive Plan.

Conclusion 2

This proposal was reviewed for compliance with the criteria and standards set forth in BCRC Chapter 3, Subchapter 3.3 BCRC Chapter 4, Subchapter 4.2, 4.3, 4.4, 4.5 and 4.6 Title 12, Chapter 7, Subchapter 7.2, Title 12, Bonner County Revised Code.

Conclusion 3

The proposed use **will/will not** create a hazard and **will/will not** be dangerous to persons on or adjacent to the property.

This decision is based upon the evidence submitted up to the time the Staff Report was prepared, and testimony received at this hearing. I further move to adopt the reasoned statement as discussed in deliberation at this hearing and the analysis as set forth in the Staff Report (or as amended during this hearing) and direct planning staff to draft the reasoned statement to reflect this motion as set forth in Idaho Code section 67-6535, have the Chair sign, and transmit to all interested parties. This action does not result in a taking of private property. The action that could be taken, if any, to obtain the Conditional Use Permit is to:

- 1) File a new application with the Planning Department and meet the standards required by Bonner County Revised Code; or
- 2) Appeal the decision to the County Commissioners.

Conditions of approval:

Standard continuing permit conditions. To be met for the life of the use:

- A-1** The use shall be developed and shall be operated in accordance with the approved site plan.
- A-2** The Conditional Use Permit shall not supersede deed restrictions.
- A-3** All county setbacks shall be met.
- A-4** The Conditional Use Permit shall expire if not issued within two (2) calendar years from the date of approval, or once issued, if the use has not commenced within two (2) calendar years from the date of issuance. At any time prior to the expiration date of the Conditional Use Permit, the applicant may make a written request to the Planning Director for an extension of the Conditional Use Permit for a period up to two (2) years. The Planning and Zoning Commission may consider such request for extension at any public hearing. The extension request must be approved or denied prior to the expiration date of the Conditional Use Permit.
- A-6** The applicant shall follow BCRC 12-335 Public Use Table standards for public utility facilities as found in this staff report.
- A-7** The applicant shall follow BCRC 12-4.3, Parking standards as found in this staff report.
- A-8** The applicant shall follow BCRC 12-4.4, Sign Standards as found in this staff report.
- A-9** The applicant shall follow BCRC 12-4.5, Design Standards as found in this staff report.
- A-10** The applicant shall follow BCRC 12-4.6, Landscaping and Screening Standards as found in this staff report.
- A-11** The applicant shall obtain Building Location Permits for all structures.
- A-12** The applicant shall submit a grading, stormwater management and erosion control plan in conformance with BCRC 12-7.2
- A-13** The applicant shall follow BCRC 12-453(F) lighting standards as found in this staff report.

The complete file is available for review in the Planning Department, 1500 Highway 2, Suite #208, Sandpoint, ID. Staff reports are available at www.bonnercountyid.gov prior to the scheduled hearing. Bonner County Revised Code (BCRC) is available at the Planning Department or online.

Appendix A- Agency Noticing

RECORD OF MAILING

Page 1 of 1

File Number: File CUP0007-25

Record of Mailing Approved By: D.Britt

Hearing Date: 2.26.26

I hereby certify that a true and correct copy of the "Notice of Public Hearing" was digitally transmitted on this **26th** day of **December 2025**.

A handwritten signature in blue ink that reads "Jeannie L. Welter". The signature is written in a cursive style and is positioned above a horizontal line.

Jeannie Welter, Systems Technician

City of Spirit Lake - Email

RECORD OF MAILING

Page 1 of 1

File Number: **CUP0007-25**

Record of Mailing Approved By: D.Britt

Hearing Date: **2.26.26**

I hereby certify that a true and correct copy of the "Notice of Public Hearing" was digitally transmitted or mailed (postage prepaid) on this **20th** day of **January 2026**.



Jeannie Welter, Systems Technician

Assessor - Email

Bay Drive Recreation District - Email

Bonner County Airport Manager - Email

Bonner County EMS - Email

Bonner County Road & Bridge - Email

Bottle Bay Water & Sewer District - Email

City of Dover - Email

City of Hope - Email

City of Oldtown - Email

City of Priest River - Email

City of Spirit Lake - Email

Coolin-Cavanaugh Bay Fire District - Email

East Bonner Library - Email

Ellisport Bay Sewer - Email

GEM STATE MINER - U.S. Mail

Idaho Department of Environmental Quality (DEQ) - Email

Idaho Department of Lands - CDA - U.S. Mail

Idaho Department of Lands - Navigable Waters & Mining - Email

Idaho Department of Water Resources - IDWR - Email

Idaho Transportation Department- District I - Email

Kalispel Bay Sewer & Water - U.S. Mail

KPBX-FM 91 SPOKANE PUBLIC RADIO - U.S. Mail

Laclede Water District - Email

Lake Pend Oreille School District, #84 (Transportation) - Email

Little Blacktail Ranch Water Association - U.S. Mail

Northern Lights, Inc. - Email

Northside Fire District - Email

Panhandle Health District - Email

Priest Lake Public Library District - Email

Sagle Valley Water & Sewer - Email

Schweitzer Fire District - Email

Selkirk Fire, Rescue & EMS - Email

Southside Water & Sewer District - Email

Spokesman-Review - U.S. Mail

Swan Shores Sewer District - U.S. Mail

Tamarack Village Water & Sewer - U.S. Mail

Trestle Creek Sewer District - Email

U.S. Fish & Wildlife Service - Email

West Bonner County Cemetery District - Email

West Bonner Library - Email

West Pend Oreille Fire District - Email

Avista Utilities - Email

Bayview Water & Sewer - Email

BONNER COUNTY DAILY BEE - U.S. Mail

Bonner County Floodplain Review - Email

Bonner County Sheriff - Email

City of Clark Fork - Email

City of East Hope - Email

City of Kootenai - Email

City of Ponderay - Email

City of Sandpoint - Email

Coolin Sewer District - Email

Drainage District #7 - Email

East Priest Lake Fire District - Email

Garfield Bay Water & Sewer District - Email

Granite Reeder Water & Sewer District - Email

Idaho Department of Fish & Game - Email

Idaho Department of Lands - Coolin - Email

Idaho Department of Lands - Sandpoint - Email

Idaho Transportation Department (Aeronautics) - U.S. Mail

Independent Highway District - Email

Kootenai-Ponderay Sewer District - Email

KSPT-KPND-KIBR RADIO - U.S. Mail

Lake Pend Oreille School District, #84 (Admin Office) - Email

Lakeland Joint School District, #272 - Email

North of the Narrows Fire District - Email

Northland/Vyve Cable Television - Email

Outlet Bay Sewer District - Email

Pend Oreille Hospital District - Email

Priest Lake Translator District - Email

Sam Owen Fire District - Email

SELKIRK ASSOCIATION OF REALTORS - U.S. Mail

Selkirk Recreation District - Email

Spirit Lake Fire District - Email

Historical Society - Email

Syringa Heights Water Association - Email

Timber Lake Fire District - Email

U.S. Army Corps of Engineers - Email

U.S. Forest Service - U.S. Mail

West Bonner County School District, #83 - Email

West Bonner Water & Sewer District - Email

West Priest Lake Fire District - Email

Record of Mailing Property Owners within 300 Feet

Page 1 of 1

File Number: **CUP0007-25**

Record of Mailing Approved By: D. Britt

Hearing Date: **2.26.26**

I hereby certify that a true and correct copy of the "Notice of Public Hearing" was digitally transmitted or mailed (postage prepaid) on this **20th** day of **January 2026**.



Jeannie Welter, Systems Technician

Pin	Owner	Address Not Provided	City	State	Zip
RP003120000120A	Kunishige, Christopher & Tina	Po Box 112	Spirit Lake Dalton	ID	83869
RP020410000010A	4 Industrial Park Ave Llc	1671 E Canfield Ave	Gardens	ID	83815
RP0031200014A0A	Blacktail Storage Llc	3244 N Callary St	Post Falls	ID	83854
RP014460000030A	Vangemert, Dean E & Linda A	122 Gunner Ln	Spirit Lake	ID	83869
RP54N04W296200A	Reiswig, Kenneth Wilkerson-Reiswig, Betty M	Po Box 1283	Spirit Lake	ID	83869
RP54N04W296150A	Ingram, Aaron	Po Box 820	Spirit Lake	ID	83869
RP54N04W294000A	Western High Lands Inc Topp, Edward	45 Krupps Rd	Spirit Lake	ID	83869
RP54N04W312400A	City Of Spirit Lake	Po Box 309	Spirit Lake	ID	83869
RP54N04W304501A	Stimson Lumber Co	9400 Sw Barnes Rd Ste 530	Portland	OR	97225
RP014460000020A	Newton, Marvin Iii Cromeenes, Cheryl	14101 162nd Pl Ne	Arlington	WA	98223
RP020410000020A	21904 Highway 41 Llc	C/o Po Box 1308	Lewiston	ID	83501
RP54N04W301201A	Vangemert, Dean Eric & Linda A Johnson, Michael & Shelly	316 St Germaine Rd	Spirit Lake	ID	83869
RP54N04W295700A	Dahlstrom, Gregory M & Connie	Po Box 3461	Post Falls	ID	83877
RP54N04W306900A	Bonner County	1500 Hwy 2 - Ste 304	Sandpoint	ID	83864
RP003120000130A	Rutherford, Dorothy	241 Cavanuagh Bay Rd	Coolin	ID	83821- 6001
RP54N04W296250A	Steinbrenner, Craig & Erin E	Po Box 1332	Spirit Lake	ID	83869- 1332
RP014470000020A	Osborne, Tena R	768 Spirit Lake Cut Off	Spirit Lake	ID	83869- 9670
RP54N04W307201A	City Of Spirit Lake	Po Box 309	Spirit Lake	ID	83869
RP014220000040A	Metling Family Trust	51 La Luna Ln	Spirit Lake	ID	83869
RP54N04W295630A	Reed, Robert D & Tonya D	Po Box 392	Spirit Lake	ID	83869
RP014470000010A	Roman, Nicholas J	Po Box 963	Spirit Lake	ID	83869
RP54N04W296500A	Ochoa, Alfred J & Helen D	18706 S Clodfelter Rd 527 Spirit Lake Cutoff	Kennewick	WA	99338
RP014430010010A	Doggett, Troy Jr & Misty	Rd	Spirit Lake Otis	ID	83869
RP014220000030A	Duprey, Michael L Duprey, Renee C & Lawrence J	5406 N Ormond Rd	Orchards	WA	99027
RP54N04W310602A	Kelly, Josh M & Emily A	21111 Hwy 41	Spirit Lake	ID	83869
RP54N04W296300A	Comstock, Cynthia L Comstock, Jesse James Comstock, Seanna M	Po Box 1466	Spirit Lake	ID	83869
RP014270030010A	Spirit Valley Christian Fellowship Owens, Clyde Jr Pastor	Po Box 750	Spirit Lake	ID	83869
RP012420010010A	Fellowship	Po Box 993	Spirit Lake	ID	83869
RP54N04W320001A	Eastmond, John Brett & Nicole	Address Not Provided			
	State Of Idaho Department Of Lands	6042 West Maine St.	Spirit Lake	ID	83869
	City Of Spirit Lake	600 4th St. West	Newport	WA	99156
Project Rep	Kevin Koesel				

Appendix B- Agency Comment



Jeannie Welter <jeannie.welter@bonnercountyid.gov>

[EXT SENDER] RE: Bonner County Planning - File CUP0007-25 Agency Review

1 message

Horsmon, Merritt <merritt.horsmon@idfg.idaho.gov>
To: Jeannie Welter <jeannie.welter@bonnercountyid.gov>

Fri, Feb 6, 2026 at 1:23 PM

Hi Jeannie,

The Idaho Department of Fish and Game does not have any comments to submit for this application.

Thank you for the opportunity to review and comment,

Merritt Horsmon

Regional Technical Assistance Manager

Panhandle Region

2885 W. Kathleen Ave.

[Coeur d'Alene, ID 83815](#)

208.769.1414 office

208.251.4509 mobile

merritt.horsmon@idfg.idaho.gov



From: Jeannie Welter <jeannie.welter@bonnercountyid.gov>

Sent: Tuesday, January 20, 2026 8:59 AM

To: Alan Brinkmeier <alan.brinkmeier@bonnercountyid.gov>; Amber Burgess <clerk@ebsewerdistrict.com>; Army Corps of Engineers <CENWW-RD-CDA@usace.army.mil>; Avista Copr - Jay West <jay.west@avistacorp.com>; Avista Corp - Peggy George <peggy.george@avistacorp.com>; Becky Meyer <becky.meyer@lposd.org>; Bill Berg <billb@bbsewer.org>; Bonner County Assessors <assessorsgroup@bonnercountyid.gov>; BONNER COUNTY HISTORICAL SOCIETY AND MUSEUM <DIRECTOR@bonnercountyhistory.org>; Bonner County Solid Waste <solidwaste@bonnercountyid.gov>;

Bonnie Schademan <bonnies@inlandpower.com>; Brenna Garro <Brenna.Garro@oer.idaho.gov>; Bryan Quayle <quaylelanduseconsulting@gmail.com>; Carrol Stejer <CASTEJER@gmail.com>; charityhinshaw@sd83.org; Chief Debbie Carpenter <chief@spirittlakefire.com>; City of Clark Fork <city@clarkforkidaho.gov>; City of Clark Fork <CityClerk1@clarkforkidaho.gov>; City of Dover <cityclerk@cityofdoverydaho.org>; City of East Hope Franck <easthope.city@gmail.com>; City of Hope <hopecityclerk@gmail.com>; City of Kootenai <cityclerk@cityofkootenai.org>; City of Oldtown <cityofoldtown@hotmail.com>; City of Sandpoint Planning <cityplanning@sandpointidaho.gov>; cityclerk@spirittlakeid.gov; Colleen Johnson <CJohnson@kootenaiponderaysewerdistrict.org>; Craig Hill <craighill@hillsresort.com>; D1Permits <D1Permits@itd.idaho.gov>; dbrown@idl.idaho.gov; Dan Scholz <dan.scholz@nli.coop>; Dave Schuck <dave.schuck@bonnercountyid.gov>; David LaTourette <coolinfirechief@gmail.com>; David LaTourette <Coolinfldchief@gmail.com>; Dean Davis <deandavis@sd83.org>; East Bonner Library <Amanda@ebonnerlibrary.org>; East Priest Lake Fire District <eastpriestlakefd@gmail.com>; Erik Sjoquist <esjoquist@idl.idaho.gov>; Federal Aviation Administration <Heather.pate@faa.gov>; Frankie Dunn <Frankiejduhn@hotmail.com>; Fritz Broschet <outletbaysewer@gmail.com>; Garfield Bay Water and Sewer District Clerk <garfieldbaywsd@hotmail.com>; Gavin Gilcrease <ggilcrease@sandpointidaho.gov>; Dan Everhart <Dan.Everhart@ishs.idaho.gov>; DEQ Comments <deqcomments@deq.idaho.gov>; Independent Hwy Dist - Julie Bishop <ihdclerk@gmail.com>; Robert Beachler <robert.beachler@itd.idaho.gov>; ITD - Stacy Simkins <stacy.simkins@itd.idaho.gov>; Jack Schenck <Jack.schenck@vyvebb.com>; Jake Gabell <jgabell@priestriver-id.gov>; Janice Best <janicesb@televar.com>; Jason Johnson <jason.johnson@bonnercountyid.gov>; Jason Kimberling <jason.kimberling@itd.idaho.gov>; Jeff Lindsey <jeff.lindsey@bonnercountyid.gov>; Jessie Roe <BWSD637@gmail.com>; joekren@sd83.org; Jordan Brooks <coolinsewer@gmail.com>; KayLeigh Miller <klmiller@ponderay.org>; kbsd sewer <kbsdpl@hotmail.com>; Ken Flint <ken_flint@tcenergy.com>; Kenny Huston <kenny.huston@oer.idaho.gov>; Kim Hoodenpyle <kjh5345@gmail.com>; Kim Spacek <kimspacek@sd83.org>; Kimberly Hobson <Kimberly.Hobson@itd.idaho.gov>; Laclede Water District <info@lacledewaterdistrict.org>; Lakeland Joint School District #272 <cpursley@lakeland272.org>; Lisa Rosa <hr@ebonnerlibrary.org>; Bates, Luke <Luke.Bates@idwr.idaho.gov>; Matt Diel <matt.diel@lposd.org>; Horsmon, Merritt <merritt.horsmon@idfg.idaho.gov>; Midas Water <midaswatercorp@gmail.com>; Mike Ahmer <mahmer@idl.idaho.gov>; Mike Schacht <firedept@clarkforkidaho.gov>; Natural Resource Conservation Service - Greg Becker <greg.becker@id.usda.gov>; Navy - Glynis Casey <glynis.casey@navy.mil>; North of the Narrows Fire District <northofthenarrowsfire@gmail.com>; Northern Info <northerninfo@idwr.idaho.gov>; Northern Lights <kristin.mettke@nli.coop>; Northern Lights - Clint Brewing <clint.brewington@nli.coop>; Northside Water and Syringa Heights Water Association <allwater49@outlook.com>; Oden Water Association - Carla Poelstra <odenwater@gmail.com>; Pend Oreille Hospital District <kim.kichenmaster@bonnergeneral.org>; PHD <EApplications@phd1.idaho.gov>; Priest Lake Public Library District <plplibrary@hotmail.com>; Richard Hash <Rich.hash2022@gmail.com>; Road & Bridge - Matt Mulder <matt.mulder@bonnercountyid.gov>; Ryan Zandhuisen <rzandhuisen@idl.idaho.gov>; Sagle Valley Water and Sewer District <saglewatersewer@gmail.com>; Sagle Valley Water & Sewer District <markc@smartplugs.com>; Sam Owen Fire Rescue Sam Owen Fire Rescue <sofd@wow-tel.net>; Sam Ross <sam.ross@nli.coop>; Sarah Gilmore <sgilmore@sandpointidaho.gov>; School District 84 Transportation - James Koehler <james.koehler@lposd.org>; SCHWEITZER FIRE DISTRICT <SchweitzerFireDistrict@gmail.com>; Selkirk Association of Realtors <danielle@selkirkaor.com>; Selkirk Recreation District <elgar@whoi.edu>; Sheryl Austin <granitereeder@gmail.com>; SOURDOUGH POINT OWNERS ASSOCIATION <sourdoughpoint@hotmail.com>; Southside Water and Sewer <southsidewaterandsewer@swsdidaho.org>; Steve Elgar <selgar@mac.com>; Superintendent School Dist 84 <kelly.fisher@lposd.org>; Symone.legg@itd.idaho.gov; Tammy Miller <tmiller@selkirkfire.com>; Tammy Miller <tmiller@selkirkfire.us>; TC Energy / TransCanada <US_crossings@tcenergy.com>; Teresa Decker <Huckleberryhoa@gmail.com>; Teresa Decker <huckbayutilities01@gmail.com>; Teresa Zamora <utilities@stoneridgeidaho.com>; Theresa Wheat <theresa@kootenai.org>; Tim Ventress <chventresswplvfd@hotmail.com>; Timberlake Fire District <Kwright@timberlakefire.com>; Tom Renzi <epifdchief@gmail.com>; US Fish & Wildlife Services <fw1idahoconsultationrequests@fws.gov>; meagan <meagan@westbonnerlibrary.org>; West Pend Oreille Fire District <wpofd1@gmail.com>

Cc: kkoesel@jasewell.com; Daniel Britt <daniel.britt@bonnercountyid.gov>

Subject: Bonner County Planning - File CUP0007-25 Agency Review

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

The above-named application has been submitted to the Bonner County Planning Department for processing.

Please review the application relative to your agency's area of expertise and include any recommended conditions of approval and supporting code sections. Please see attached for details.

Thanks and have a wonderful day!

Jeannie Welter

Bonner County Planning Department

Systems Technician

208-265-1458

Now Live: Apply for Your Building Location Permit Online!

We're making building easier! You can now apply for your **Building Location Permit** quickly and securely through our **new citizen online portal**, available 24/7 from the comfort of your home or office. You can also apply on one of the kiosks provided in the Planning Department office, located in the County Administrative Building, Suite 208.

Fast & easy application process

Track your permit status in real time

Upload documents directly

Visit <https://bonnercountyid-energovweb.tylerhost.net/apps/selfservice#/home> **to get started today!**

Effective July 1, 2025, all Building Location Permits must be applied for through the online citizen portal and we will no longer be accepting applications sent via email or printed paper applications. Have questions? Call 208-265-1458, our team is ready to help.

Build smarter. Apply online.

[Online Application Guide](#)



Jeannie Welter <jeannie.welter@bonnercountyid.gov>

[EXT SENDER] RE: Bonner County Planning - File CUP0007-25 Agency Review

1 message

Bates, Luke <Luke.Bates@idwr.idaho.gov>

Tue, Jan 20, 2026 at 12:06 PM

To: Jeannie Welter <jeannie.welter@bonnercountyid.gov>

Cc: Spencer Humphrey <spencer.humphrey@idwr.idaho.gov>, "Sturgis, Daniel" <Daniel.Sturgis@idwr.idaho.gov>, "Richman, Michelle" <Michelle.Richman@idwr.idaho.gov>

REF: CUP0007-25

TO: Bonner County Planning Department

Good morning,

The proposed Application specifies that the new facility(s) water use shall be supplied by an individual ground water well for 1-2 employees daily and that several monitoring wells shall be constructed to meet IDEQ monitoring requirements for associated land-based treatment system.

Idaho Department of Water Resources (IDWR) – Northern Regional Office **doesn't have any conditional requirements for the proposed project** but offers the following information as education based on planned water use(s):

- If domestic water use from the proposed individual ground water well to meet the 1-2 employee(s) daily use(s) exceeds water uses authorized by Idaho Code §42-111 is anticipated, a new Application for Permit is required, and the City of Spirit Lake needs to contact IDWR to discuss water right requirements. This comment presumes the additional "storage, aeration, disinfection, and distribution to the land application crop" doesn't require diversion of ground water proposed from the new private well; if wastewater treatment requires additional ground water source well pumping a new application for permit may be required.
- All new well construction shall comply with Idaho Code §42-235 and IDAPA 37.03.09 – Well Construction Standards Rules.

Thank you for the opportunity to comment,



Luke Bates – Sr Water Resource Agent

Idaho Department of Water Resources

Northern Regional Office

208-762-2817

7600 N Mineral Dr Suite 100 Coeur D Alene ID 83815-7763

From: Jeannie Welter <jeannie.welter@bonnercountyid.gov>

Sent: Tuesday, January 20, 2026 8:59 AM

To: Alan Brinkmeier <alan.brinkmeier@bonnercountyid.gov>; Amber Burgess <clerk@ebsewerdistrict.com>; Army Corps of Engineers <CENWW-RD-CDA@usace.army.mil>; Avista Copr - Jay West <jay.west@avistacorp.com>; Avista Corp - Peggy George <peggy.george@avistacorp.com>; Becky Meyer <becky.meyer@lposd.org>; Bill Berg <billb@bbsewer.org>; Bonner County Assessors <assessorsgroup@bonnercountyid.gov>; BONNER COUNTY HISTORICAL SOCIETY AND MUSEUM <DIRECTOR@bonnercountyhistory.org>; Bonner County Solid Waste <solidwaste@bonnercountyid.gov>; Bonnie Schademan <bonnies@inlandpower.com>; Brenna Garro <Brenna.Garro@oer.idaho.gov>; Bryan Quayle <quaylelanduseconsulting@gmail.com>; Carrol Stejer <CASTEJER@gmail.com>; charityhinshaw@sd83.org; Chief Debbie Carpenter <chief@spiritleakefire.com>; City of Clark Fork <city@clarkforkidaho.gov>; City of Clark Fork <CityClerk1@clarkforkidaho.gov>; City of Dover <cityclerk@cityofdoveridaho.org>; City of East Hope Franck <easthope.city@gmail.com>; City of Hope <hopecityclerk@gmail.com>; City of Kootenai <cityclerk@cityofkootenai.org>; City of Oldtown <cityofoldtown@hotmail.com>; City of Sandpoint Planning <cityplanning@sandpointidaho.gov>; cityclerk@spiritleakeid.gov; Colleen Johnson <CJohnson@kootenaiponderaysewerdistrict.org>; Craig Hill <craighill@hillsresort.com>; D1Permits <D1Permits@itd.idaho.gov>; dbrown@idl.idaho.gov; Dan Scholz <dan.scholz@nli.coop>; Dave Schuck <dave.schuck@bonnercountyid.gov>; David LaTourette <coolinfirechief@gmail.com>; David LaTourette <Coolinfldchief@gmail.com>; Dean Davis <deandavis@sd83.org>; East Bonner Library <Amanda@ebonnerlibrary.org>; East Priest Lake Fire District <eastpriestlakefd@gmail.com>; Erik Sjoquist <esjoquist@idl.idaho.gov>; Federal Aviation Administration <Heather.pate@faa.gov>; Frankie Dunn <Frankiejduhn@hotmail.com>; Fritz Broschet <outletbaysewer@gmail.com>; Garfield Bay Water and Sewer District Clerk <garfieldbaywsd@hotmail.com>; Gavin Gilcrease <ggilcrease@sandpointidaho.gov>; Dan Everhart <Dan.Everhart@ishs.idaho.gov>; DEQ Comments <deqcomments@deq.idaho.gov>; Independent Hwy Dist - Julie Bishop <ihdclerk@gmail.com>; Robert Beachler <robert.beachler@itd.idaho.gov>; ITD - Stacy Simkins <stacy.simkins@itd.idaho.gov>; Jack Schenck <Jack.schenck@vyvebb.com>; Jake Gabell <jgabell@priestriver-id.gov>; Janice Best <janicesb@televar.com>; Jason Johnson <jason.johnson@bonnercountyid.gov>; Jason Kimberling <jason.kimberling@itd.idaho.gov>; Jeff Lindsey <jeff.lindsey@bonnercountyid.gov>; Jessie Roe <BWSD637@gmail.com>; joekren@sd83.org; Jordan Brooks <coolinsewer@gmail.com>; KayLeigh Miller <klmiller@ponderay.org>; kbsd sewer <kbsdpl@hotmail.com>; Ken Flint <ken_flint@tcenergy.com>; Kenny Huston <kenny.huston@oer.idaho.gov>; Kim Hoodenpyle <kjh5345@gmail.com>; Kim Spacek <kimspacek@sd83.org>; Kimberly Hobson <Kimberly.Hobson@itd.idaho.gov>; Laclede Water District <info@lacedewaterdistrict.org>; Lakeland Joint School District #272 <cpursley@lakeland272.org>; Lisa Rosa <hr@ebonnerlibrary.org>; Bates, Luke <Luke.Bates@idwr.idaho.gov>; Matt Diel <matt.diel@lposd.org>; Horsmon, Merritt <merritt.horsmon@idfg.idaho.gov>; Midas Water <midaswatercorp@gmail.com>; Mike Ahmer <mahmer@idl.idaho.gov>; Mike Schacht <firedept@clarkforkidaho.gov>; Natural Resource Conservation Service - Greg Becker <greg.becker@id.usda.gov>; Navy - Glynis Casey <glynis.casey@navy.mil>; North of the Narrows Fire District <northofthenarrowsfire@gmail.com>; Northern Info <northerninfo@idwr.idaho.gov>; Northern Lights <kristin.mettke@nli.coop>; Northern Lights - Clint Brewing <clint.brewington@nli.coop>; Northside Water and Syringa Heights Water Association <allwater49@outlook.com>; Oden Water Association - Carla Poelstra <odenwater@gmail.com>; Pend Oreille Hospital District <kim.kichenmaster@bonnergeneral.org>; PHD <EApplications@phd1.idaho.gov>; Priest Lake Public Library District <plplibrary@hotmail.com>; Richard Hash <Rich.hash2022@gmail.com>; Road & Bridge - Matt Mulder <matt.mulder@bonnercountyid.gov>; Ryan Zandhuisen <rzandhuisen@idl.idaho.gov>; Sagle Valley Water and Sewer District <saglewatersewer@gmail.com>; Sagle Valley Water & Sewer District <markc@smartplugs.com>; Sam Owen Fire Rescue Sam Owen Fire Rescue <sofd@wow-tel.net>; Sam Ross <sam.ross@nli.coop>; Sarah Gilmore <sgilmore@sandpointidaho.gov>; School District 84 Transportation - James Koehler <james.koehler@lposd.org>; SCHWEITZER FIRE DISTRICT <SchweitzerFireDistrict@gmail.com>; Selkirk Association of Realtors <danielle@selkirkaor.com>; Selkirk Recreation District <elgar@whoi.edu>; Sheryl Austin <granitereeder@gmail.com>; SOURDOUGH POINT OWNERS ASSOCIATION <sourdoughpoint@hotmail.com>; Southside Water and Sewer <southsidewaterandsewer@swsdidaho.org>; Steve Elgar <selgar@mac.com>; Superintendent School Dist 84 <kelly.fisher@lposd.org>; Symone.legg@itd.idaho.gov; Tammy Miller <tmiller@selkirkfire.us>; Tammy Miller <tmiller@selkirkfire.us>; TC Energy / TransCanada

<US_crossings@tcenergy.com>; Teresa Decker <Huckleberryhoa@gmail.com>; Teresa Decker <huckbayutilities01@gmail.com>; Teresa Zamora <utilities@stoneridgeidaho.com>; Theresa Wheat <theresa@kootenai.org>; Tim Ventress <chventresswplvfd@hotmail.com>; Timberlake Fire District <Kwright@timberlakefire.com>; Tom Renzi <epifdchief@gmail.com>; US Fish & Wildlife Services <fw1idahoconsultationrequests@fws.gov>; meagan <meagan@westbonnerlibrary.org>; West Pend Oreille Fire District <wpofd1@gmail.com>

Cc: kkoesel@jasewell.com; Daniel Britt <daniel.britt@bonnercountyid.gov>

Subject: Bonner County Planning - File CUP0007-25 Agency Review

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Please review the application relative to your agency's area of expertise and include any recommended conditions of approval and supporting code sections. Please see attached for details.

Thanks and have a wonderful day!

Jeannie Welter

Bonner County Planning Department

Systems Technician

208-265-1458

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Fast & easy application process

Track your permit status in real time

Upload documents directly

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Effective July 1, 2025, all Building Location Permits must be applied for through the online citizen portal and we will no longer be accepting applications sent via email or printed paper applications. Have questions? Call 208-265-1458, our team is ready to help.

Build smarter. Apply online.

[Online Application Guide](#)



image001.png
31K



Jeannie Welter <jeannie.welter@bonnercountyid.gov>

[EXT SENDER] RE: Bonner County Planning - File CUP0007-25 Agency Review

1 message

Robert Beachler <Robert.Beachler@itd.idaho.gov>
 To: Jeannie Welter <jeannie.welter@bonnercountyid.gov>

Wed, Jan 21, 2026 at 12:18 PM

No Comment from the Idaho Transportation Department.

Robert Beachler

District 1 Planning Program Manager

Idaho Transportation Department

600 W. Prairie Ave

Coeur d'Alene, ID 83815

robert.beachler@itd.idaho.gov

(208) 772-1216

Office Hours M-TH 6-4:30

From: Jeannie Welter <jeannie.welter@bonnercountyid.gov>

Sent: Tuesday, January 20, 2026 8:59 AM

To: Alan Brinkmeier <alan.brinkmeier@bonnercountyid.gov>; Amber Burgess <clerk@ebsewerdistrict.com>; Army Corps of Engineers <CENWW-RD-CDA@usace.army.mil>; Avista Copr - Jay West <jay.west@avistacorp.com>; Avista Corp - Peggy George <peggy.george@avistacorp.com>; Becky Meyer <becky.meyer@lposd.org>; Bill Berg <billb@bbsewer.org>; Bonner County Assessors <assessorsgroup@bonnercountyid.gov>; BONNER COUNTY HISTORICAL SOCIETY AND MUSEUM <DIRECTOR@bonnercountyhistory.org>; Bonner County Solid Waste <solidwaste@bonnercountyid.gov>; Bonnie Schademan <bonnies@inlandpower.com>; Brenna Garro <Brenna.Garro@oer.idaho.gov>; Bryan Quayle <quaylelanduseconsulting@gmail.com>; Carrol Stejer <CASTEJER@gmail.com>; Charity Hinshaw <Charityhinshaw@sd83.org>; Chief Debbie Carpenter <chief@spirittlakefire.com>; City of Clark Fork <city@clarkforkidaho.gov>; City of Clark Fork <CityClerk1@clarkforkidaho.gov>; City of Dover <cityclerk@cityofdoveridaho.org>; City of East Hope Franck <easthope.city@gmail.com>; City of Hope <hopecityclerk@gmail.com>; Manda Corbett <cityclerk@cityofkootenai.org>; City of Oldtown <cityofoldtown@hotmail.com>; City of Sandpoint Planning <cityplanning@sandpointidaho.gov>; cityclerk@spirittlakeid.gov; Colleen Johnson <CJohnson@kootenaiponderaysewerdistrict.org>; Craig Hill <craighill@hillsresort.com>; D1Permits <D1Permits@itd.idaho.gov>; Dan Brown <dbrown@idl.idaho.gov>; Dan Scholz <dan.scholz@nli.coop>; Dave Schuck <dave.schuck@bonnercountyid.gov>; David LaTourette <coolinfirechief@gmail.com>; David LaTourette <Coolinfidchief@gmail.com>; Dean Davis <deandavis@sd83.org>; East Bonner Library <Amanda@ebonnerlibrary.org>; East Priest Lake Fire District <eastpriestlakefd@gmail.com>; Erik Sjoquist <esjoquist@idl.idaho.gov>; Federal Aviation Administration

<Heather.pate@faa.gov>; Frankie Dunn <Frankiejduhn@hotmail.com>; Fritz Broschet <outletbaysewer@gmail.com>; Garfield Bay Water and Sewer District Clerk <garfieldbaywsd@hotmail.com>; Gavin Gilcrease <ggilcrease@sandpointidaho.gov>; ID State Historical Society - Dan Everhart <dan.everhart@ishs.idaho.gov>; Idaho Department of Environmental Quality <deqcomments@deq.idaho.gov>; Independent Hwy Dist - Julie Bishop <ihdclerk@gmail.com>; Robert Beachler <Robert.Beachler@itd.idaho.gov>; Stacy Simkins <Stacy.Simkins@itd.idaho.gov>; Jack Schenck <Jack.schenck@vyvebb.com>; Jake Gabell <jgabell@priestriver-id.gov>; Janice Best <janicesb@televar.com>; Jason Johnson <jason.johnson@bonnercountyid.gov>; Jason Kimberling <Jason.Kimberling@itd.idaho.gov>; Jeff Lindsey <jeff.lindsey@bonnercountyid.gov>; Jessie Roe <BWSD637@gmail.com>; Joe Kren <joeKren@sd83.org>; Jordan Brooks <coolinsewer@gmail.com>; KayLeigh Miller <klmiller@ponderay.org>; kbsd sewer <kbsdpl@hotmail.com>; Ken Flint <ken_flint@tcenergy.com>; Kenny Huston <kenny.huston@oer.idaho.gov>; Kim Hoodenpyle <kjh5345@gmail.com>; Kim Spacek <kimspacek@sd83.org>; Kimberly Hobson <Kimberly.Hobson@itd.idaho.gov>; Laclede Water District <info@lacedewaterdistrict.org>; Lakeland Joint School District #272 <cpursley@lakeland272.org>; Lisa Rosa <hr@ebonnerlibrary.org>; Luke Bates <luke.bates@idwr.idaho.gov>; Matt Diel <matt.diel@lposd.org>; Merritt Horsmon <merritt.horsmon@idfg.idaho.gov>; Midas Water <midaswatercorp@gmail.com>; Mike Ahmer <mahmer@idl.idaho.gov>; Mike Schacht <firedept@clarkforkidaho.gov>; Natural Resource Conservation Service - Greg Becker <greg.becker@id.usda.gov>; Navy - Glynis Casey <glynis.casey@navy.mil>; North of the Narrows Fire District <northofthenarrowsfire@gmail.com>; Northern Info <northerninfo@idwr.idaho.gov>; Northern Lights <kristin.mettke@nli.coop>; Northern Lights - Clint Brewing <clint.brewington@nli.coop>; Northside Water and Syringa Heights Water Association <allwater49@outlook.com>; Oden Water Association - Carla Poelstra <odenwater@gmail.com>; Pend Oreille Hospital District <kim.kichenmaster@bonnergeneral.org>; PHD <EHApplications@phd1.idaho.gov>; Priest Lake Public Library District <plplibrary@hotmail.com>; Richard Hash <Rich.hash2022@gmail.com>; Road & Bridge - Matt Mulder <matt.mulder@bonnercountyid.gov>; Ryan Zandhuisen <rzandhuisen@idl.idaho.gov>; Sagle Valley Water and Sewer District <saglewatersewer@gmail.com>; Sagle Valley Water & Sewer District <markc@smartplugs.com>; Sam Owen Fire Rescue Sam Owen Fire Rescue <sofd@wow-tel.net>; Sam Ross <sam.ross@nli.coop>; Sarah Gilmore <sgilmore@sandpointidaho.gov>; School District 84 Transportation - James Koehler <james.koehler@lposd.org>; SCHWEITZER FIRE DISTRICT <SchweitzerFireDistrict@gmail.com>; Selkirk Association of Realtors <danielle@selkirkaor.com>; Selkirk Recreation District <elgar@whoi.edu>; Sheryl Austin <granitereeder@gmail.com>; SOURDOUGH POINT OWNERS ASSOCIATION <sourdoughpoint@hotmail.com>; Southside Water and Sewer <southsidewaterandsewer@swsdidaho.org>; Steve Elgar <selgar@mac.com>; Superintendent School Dist 84 <kelly.fisher@lposd.org>; Symone Legg <Symone.Legg@itd.idaho.gov>; Tammy Miller <tmiller@selkirkfire.com>; Tammy Miller <tmiller@selkirkfire.us>; TC Energy / TransCanada <US_crossings@tcenergy.com>; Teresa Decker <Huckleberryhoa@gmail.com>; Teresa Decker <huckbayutilities01@gmail.com>; Teresa Zamora <utilities@stoneridgeidaho.com>; Theresa Wheat <theresa@kootenai.org>; Tim Ventress <chventresswplvfd@hotmail.com>; Timberlake Fire District <Kwright@timberlakefire.com>; Tom Renzi <ep1fdchief@gmail.com>; US Fish & Wildlife Services <fw1idahoconsultationrequests@fws.gov>; West Bonner Library <meagan@westbonnerlibrary.org>; West Pend Oreille Fire District <wpofd1@gmail.com>
Cc: kkoesel@jasewell.com; Daniel Britt <daniel.britt@bonnercountyid.gov>
Subject: Bonner County Planning - File CUP0007-25 Agency Review

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

The above-named application has been submitted to the Bonner County Planning Department for processing.

Please review the application relative to your agency's area of expertise and include any recommended conditions of

approval and supporting code sections. Please see attached for details.

Thanks and have a wonderful day!

Jeannie Welter

Bonner County Planning Department

Systems Technician

208-265-1458

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We're making building easier! You can now apply for your **Building Location Permit** quickly and securely through our **new citizen online portal**, available 24/7 from the comfort of your home or office. You can also apply on one of the kiosks provided in the Planning Department office, located in the County Administrative Building, Suite 208.

Fast & easy application process

Track your permit status in real time

Upload documents directly

Visit <https://bonnercountyid-energovweb.tylerhost.net/apps/selfservice#/home> to get started today!

Effective July 1, 2025, all Building Location Permits must be applied for through the online citizen portal and we will no longer be accepting applications sent via email or printed paper applications. Have questions? Call 208-265-1458, our team is ready to help.

Build smarter. Apply online.

[Online Application Guide](#)



Jeannie Welter <jeannie.welter@bonnercountyid.gov>

[EXT SENDER] RE: Bonner County Planning - File CUP0007-25 Agency Review

1 message

KPSD Clerk <clerk@kootenaiponderaysewerdistrict.org>
To: jeannie.welter@bonnercountyid.gov

Tue, Jan 20, 2026 at 9:49 AM

Attached is the districts response to the above named file.

Beate Pryor

Clerk - Administrative Assistant
Kootenai-Ponderay Sewer District
511 Whiskey Jack Road Sandpoint, ID 83864
Office Hours: 8:30 am – 5:00 pm, Monday through Thursday
Phone: 208.263.0229

From: Colleen Johnson <CJohnson@kootenaiponderaysewerdistrict.org>
Sent: Tuesday, January 20, 2026 9:17 AM
To: KPSD Clerk <clerk@kootenaiponderaysewerdistrict.org>
Subject: FW: Bonner County Planning - File CUP0007-25 Agency Review

NOTICE OF CHANGE IN HOURS: THE OFFICE WILL BE CLOSED ON FRIDAYS. WE WILL BE OPEN NORMAL HOURS MONDAY THRU THURSDAY.

Colleen Johnson**Business Office Manager****Kootenai-Ponderay Sewer District****208-263-0229 Fax – 208-265-5326 Mobile: 208-304-5820****511 Whiskey Jack Road Sandpoint, Idaho 83864**

P.O. Box 562, Kootenai, ID 83840

“Dance with Life”



From: Jeannie Welter <jeannie.welter@bonnercountyid.gov>

Sent: Tuesday, January 20, 2026 8:59 AM

To: Alan Brinkmeier <alan.brinkmeier@bonnercountyid.gov>; Amber Burgess <clerk@ebsewerdistrict.com>; Army Corps of Engineers <CENWW-RD-CDA@usace.army.mil>; Avista Copr - Jay West <jay.west@avistacorp.com>; Avista Corp - Peggy George <peggy.george@avistacorp.com>; Becky Meyer <becky.meyer@lposd.org>; Bill Berg <billb@bbsewer.org>; Bonner County Assessors <assessorsgroup@bonnercountyid.gov>; BONNER COUNTY HISTORICAL SOCIETY AND MUSEUM <DIRECTOR@bonnercountyhistory.org>; Bonner County Solid Waste <solidwaste@bonnercountyid.gov>; Bonnie Schademan <bonnies@inlandpower.com>; Brenna Garro <Brenna.Garro@oer.idaho.gov>; Bryan Quayle <quaylelanduseconsulting@gmail.com>; Carrol Stejer <CASTEJER@gmail.com>; Charity Hinshaw <Charityhinshaw@sd83.org>; Chief Debbie Carpenter <chief@spiritleakefire.com>; City of Clark Fork <city@clarkforkidaho.gov>; City of Clark Fork <CityClerk1@clarkforkidaho.gov>; City of Dover <cityclerk@cityofdoverydaho.org>; City of East Hope Franck <easthope.city@gmail.com>; City of Hope <hopecityclerk@gmail.com>; City of Kootenai <cityclerk@cityofkootenai.org>; City of Oldtown <cityofoldtown@hotmail.com>; City of Sandpoint Planning <cityplanning@sandpointidaho.gov>; cityclerk@spiritleakeid.gov; Colleen Johnson <CJohnson@kootenaiponderaysewerdistrict.org>; Craig Hill <craighill@hillsresort.com>; D1Permits <D1Permits@itd.idaho.gov>; Dan Brown <dbrown@idl.idaho.gov>; Dan Scholz <dan.scholz@nli.coop>; Dave Schuck <dave.schuck@bonnercountyid.gov>; David LaTourette <coolinfirechief@gmail.com>; David LaTourette <Coolinfidchief@gmail.com>; Dean Davis <deandavis@sd83.org>; East Bonner Library <Amanda@ebonnerlibrary.org>; East Priest Lake Fire District <eastpriestlakefd@gmail.com>; Erik Sjoquist <esjoquist@idl.idaho.gov>; Federal Aviation Administration <Heather.pate@faa.gov>; Frankie Dunn <Frankiejduhn@hotmail.com>; Fritz Broschet <outletbaysewer@gmail.com>; Garfield Bay Water and Sewer District Clerk <garfieldbaywsd@hotmail.com>; Gavin Gilcrease <ggilcrease@sandpointidaho.gov>; ID State Historical Society - Dan Everhart <dan.everhart@ishs.idaho.gov>; Idaho Department of Environmental Quality <deqcomments@deq.idaho.gov>; Independent Hwy Dist - Julie Bishop <ihdclerk@gmail.com>; ITD - Robert Beachler <robert.beachler@itd.idaho.gov>; ITD - Stacy Simkins <stacy.simkins@itd.idaho.gov>; Jack Schenck <Jack.schenck@vyvebb.com>; Jake Gabell <jgabell@priestriver-id.gov>; Janice Best <janicesb@televar.com>; Jason Johnson <jason.johnson@bonnercountyid.gov>; Jason Kimberling <jason.kimberling@itd.idaho.gov>; Jeff Lindsey <jeff.lindsey@bonnercountyid.gov>; Jessie Roe <BWSD637@gmail.com>; Joe Kren <joekren@sd83.org>; Jordan Brooks <coolinsewer@gmail.com>; KayLeigh Miller <klmiller@ponderay.org>; kbsd sewer <kbsdpl@hotmail.com>; Ken Flint <ken_flint@tcenergy.com>; Kenny Huston <kenny.huston@oer.idaho.gov>; Kim Hoodenpyle <kjh5345@gmail.com>; Kim Spacek <kimspacek@sd83.org>; Kimberly Hobson <Kimberly.Hobson@itd.idaho.gov>; Laclede Water District <info@lacledewaterdistrict.org>; Lakeland Joint School District #272 <cpursley@lakeland272.org>; Lisa Rosa <hr@ebonnerlibrary.org>; Luke Bates <luke.bates@idwr.idaho.gov>; Matt Diel <matt.diel@lposd.org>; Merritt Horsmon <merritt.horsmon@idfg.idaho.gov>; Midas Water <midaswatercorp@gmail.com>; Mike Ahmer <mahmer@idl.idaho.gov>; Mike Schacht <firedept@clarkforkidaho.gov>; Natural Resource Conservation Service - Greg Becker <greg.becker@id.usda.gov>; Navy - Glynis Casey <glynis.casey@navy.mil>; North of the Narrows Fire District <northofthenarrowsfire@gmail.com>; Northern Info <northerninfo@idwr.idaho.gov>; Northern Lights <kristin.mettke@nli.coop>; Northern Lights - Clint Brewing <clint.brewington@nli.coop>; Northside Water and Syringa Heights Water Association <allwater49@outlook.com>; Oden Water Association - Carla Poelstra <odenwater@gmail.com>; Pend Oreille Hospital District <kim.kichenmaster@bonnergeneral.org>; PHD <EApplications@phd1.idaho.gov>; Priest Lake Public Library District <plplibrary@hotmail.com>; Richard Hash <Rich.hash2022@gmail.com>; Road & Bridge - Matt Mulder <matt.mulder@bonnercountyid.gov>; Ryan

Zandhuisen <rzandhuisen@idl.idaho.gov>; Sagle Valley Water and Sewer District <saglewatersewer@gmail.com>; Sagle Valley Water & Sewer District <markc@smartplugs.com>; Sam Owen Fire Rescue Sam Owen Fire Rescue <sofd@wow-tel.net>; Sam Ross <sam.ross@nli.coop>; Sarah Gilmore <sgilmore@sandpointidaho.gov>; School District 84 Transportation - James Koehler <james.koehler@lposd.org>; SCHWEITZER FIRE DISTRICT <SchweitzerFireDistrict@gmail.com>; Selkirk Association of Realtors <danielle@selkirkaor.com>; Selkirk Recreation District <elgar@whoi.edu>; Sheryl Austin <granitereeder@gmail.com>; SOURDOUGH POINT OWNERS ASSOCIATION <sourdoughpoint@hotmail.com>; Southside Water and Sewer <southsidewaterandsewer@swsdidaho.org>; Steve Elgar <selgar@mac.com>; Superintendent School Dist 84 <kelly.fisher@lposd.org>; Symone.Legg@itd.idaho.gov; Tammy Miller <tmiller@selkirkfire.com>; Tammy Miller <tmiller@selkirkfire.us>; TC Energy / TransCanada <US_crossings@tcenergy.com>; Teresa Decker <Huckleberryhoa@gmail.com>; Teresa Decker <huckbayutilities01@gmail.com>; Teresa Zamora <utilities@stoneridgeidaho.com>; Theresa Wheat <theresa@kootenai.org>; Tim Ventress <chventresswplvfd@hotmail.com>; Timberlake Fire District <Kwright@timberlakefire.com>; Tom Renzi <eplfdchief@gmail.com>; US Fish & Wildlife Services <fw1idahoconsultationrequests@fws.gov>; West Bonner Library <meagan@westbonnerlibrary.org>; West Pend Oreille Fire District <wpofd1@gmail.com>
Cc: kkoesel@jasewell.com; Daniel Britt <daniel.britt@bonnercountyid.gov>
Subject: Bonner County Planning - File CUP0007-25 Agency Review

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Please review the application relative to your agency's area of expertise and include any recommended conditions of approval and supporting code sections. Please see attached for details.

Thanks and have a wonderful day!

Jeannie Welter

Bonner County Planning Department

Systems Technician

208-265-1458

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CUP0007-25 conditional use permit.pdf
221K

NOTICE OF PUBLIC HEARING



I hereby certify that a true and correct copy of this "Notice of Public Hearing" was digitally transmitted or mailed (postage prepaid) on this **20th** day of **January 2026**.

Jeanne L. Welter
Jeanne L. Welter, Systems Technician

This notice was mailed to political subdivisions, property owners within 300 feet of the subject property, and the media on **Tuesday, January 20, 2026**.

NOTICE IS HEREBY GIVEN that the Bonner County Zoning Commission will hold a public hearing at **5:30 pm** on **Thursday, February 26, 2026**, in the Bonner County Administration Building, 1500 Highway 2, Sandpoint, Idaho, by Zoom teleconference, and YouTube Livestream to consider the following requests:

File CUP0007-25 –Conditional Use Permit – Public Utility Facility – City of Spirit Lake: The applicants are requesting a Conditional Use Permit for a public utility facility on ±158.74 acres. The property is zoned Rural-10. The project is located off Spirit Lake Cutoff in Section 30 Township 54 North, Range 4 West, Boise-Meridian. The project site is within Spirit Lake Fire District and the Area of Impact of the City of Spirit Lake.

For details regarding this application, Zoom teleconference, or YouTube livestream, visit the Planning Department web site at www.bonnercountyid.gov/departments/Planning. Staff reports are available online or may be viewed at the planning department approximately a week before the scheduled hearing.

Written statements must be submitted to the planning department record no later than seven (7) days prior to the public hearing. Written statements not exceeding one standard letter sized, single spaced page may be submitted at the public hearing. Statements can be sent to the Bonner County Planning Department at 1500 Highway 2, Suite 208, Sandpoint, Idaho 83864; faxed to 866-537-4935 or e-mailed to planning@bonnercountyid.gov. The referenced start time stated above reflects the beginning of the hearing. Specific file start time and hearing duration vary.

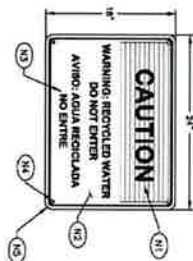
During the hearing for this application, the public will be given an opportunity to provide testimony and/or evidence regarding how the proposal does or does not comply with the applicable approval criteria of the Bonner County Revised Code. At the close of the public hearing, the governing body will make a decision on the application that may include, but is not limited to, approval, denial, remand, or continuance of the public hearing. Any person needing special accommodations to participate in the public hearing should contact the Bonner County Planning Department at (208) 265-1458 at least 48 hours prior to the scheduled hearing.

If you have no comment or response, you may indicate below and return this form to the Planning Department.

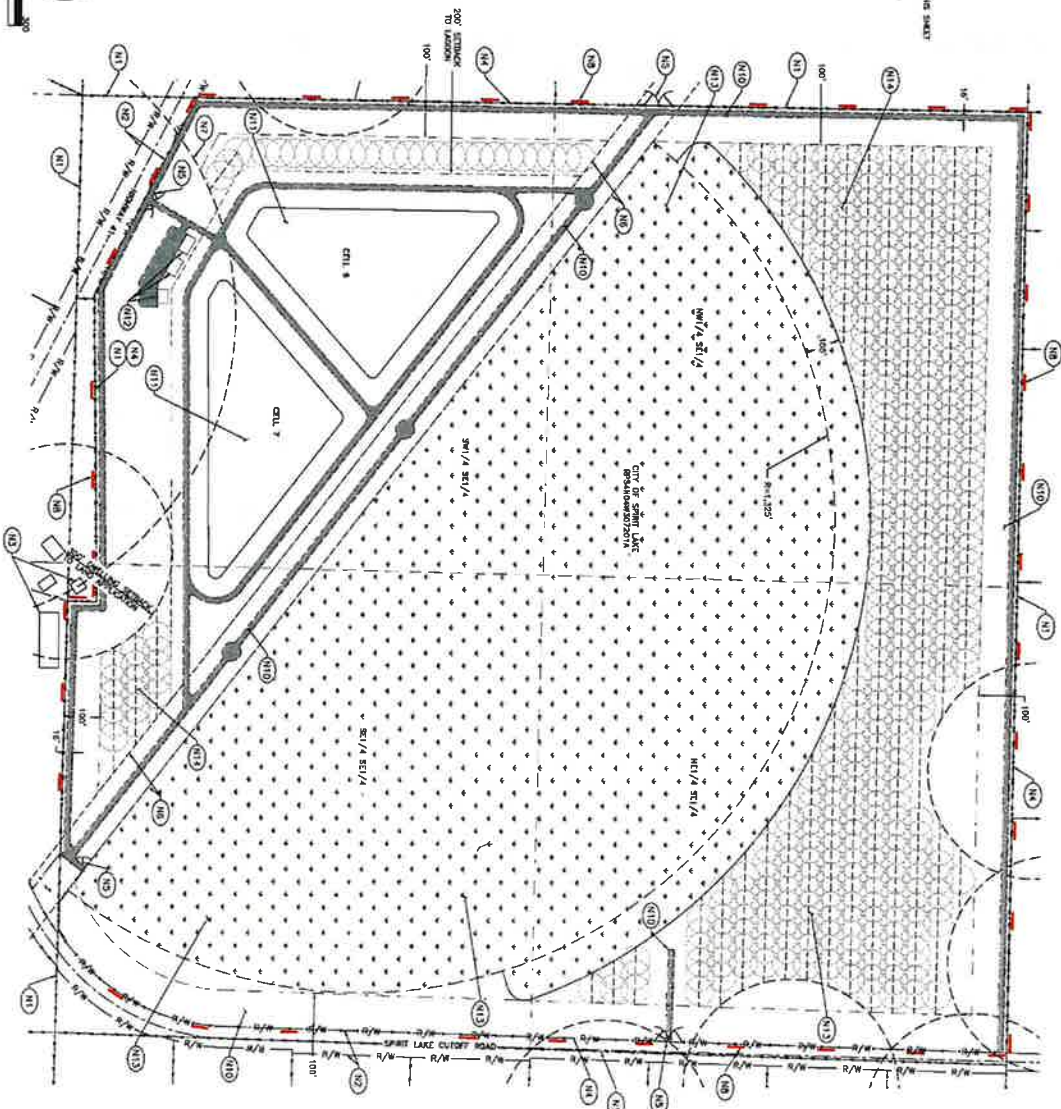
NO COMMENT *Kootenai - Ponderay Sewer District* *1/20/2026*
Name *out of Boundaries* Date

[illegible]

- (N1) MODIFIED BLACK PAVEL WITH 2-1/2" HIGH YELLOW LETTERS
- (N2) YELLOW BACKGROUND
- (N3) MODIFIED BLACK CHARACTERS, 1-2/16" TALL
- (N4) 9) HOLES FOR 1/4" BOLT. EACH HOLE SHALL HAVE A 1/4" DIA. SPACER
- (N5) ROUNDED CORNERS



- 1). ALL SIGNS SHALL BE PORCELAIN ENAMEL, 200A ENAMELED IRON OR STEEL OF LOW METALLIC AND COPPER CONTENT MANUFACTURED FOR PRODUCTION OF PORCELAIN ENAMEL UNITS. PORCELAIN ENAMEL SHALL INCLUDE TWO COATS WITH MINIMUM COAT THICKNESS PER COAT.
- 2). COLORS & SIZES OF LETTERS TO BE PER CSAH STANDARDS FOR COUNTRY SIGNS.
- 3). PHONE BE SIGN AT 200' O.C. AND AT CORNERS ALONG BARRIER WITH ENCHING AROUND LAMP APPLICATION PENETRATOR.



100% COTTON - 100% COTTON (40% SHIRT SIZE 34-36)



SHEET NO. 3 OF 3	SHEET TITLE PROPOSED SITE PLAN	 James A. Sewell and Associates, LLC CONSULTING ENGINEERS NEWPORT, WASHINGTON, 99156 (509) 447-3626	PROJECT: WYWP LAND CUP APPLICATION PROJECT SPIRIT LAKE BONNER COUNTY, IDAHO		DATE: 10-8-23 DRAWN BY: AS CHECKED BY: JAS SCALE: AS SHOWN		TITLE BLOCK 4712 10/11/23		PROJECT NO. 23-0001		SHEET NO. 3 OF 3	

Appendix F- Applicant's appeal letter

Before the Bonner County Board of County Commissioners

Appeal of Denial of Conditional Use Permit CUP0007-25

Date: April 1, 2026

To: Bonner County Board of County Commissioners

Applicant: City of Spirit Lake

The City of Spirit Lake ("Applicant"), pursuant to Bonner County Revised Code ("BCRC") 12-262, hereby appeals the written decision dated March 9, 2026, of the Bonner County Zoning Commission ("Commission") denying File No. CUP007-25, an application for a conditional use permit for a Public Utility Facility. The Commission's decision was in violation of constitutional or statutory provisions; made upon unlawful procedure; arbitrary, capricious, and abuse of discretion; and not supported by substantial evidence on the record as a whole.

I. Background and Commission Findings

The Applicant applied for a conditional use permit to the Bonner County Planning Department, requesting approval for a Public Utility Facility. The application was reviewed by Planning staff for compliance with the Bonner County Revised Code and applicable provisions of the Idaho Local Land Use Planning Act ("LLUPA"), Idaho Code § 67-6501 et seq.

Following staff review, the application was scheduled for a duly noticed public hearing before the Bonner County Commission. Notice of the hearing was provided in accordance with BCRC requirements, and relevant agencies were solicited for comment.

On February 26, 2026, the Commission conducted the public hearing, during which it received the staff report, agency correspondence, public testimony, and evidence submitted by the Applicant. The Commission deliberated on the application and evaluated it against the applicable standards set forth in BCRC Title 12, including § 12-223, governing conditional use permits.

During the February 26, 2026, public hearing, and later included in the March 9, 2026, written decision, the Commission made affirmative findings that the proposed use "will not create a hazard and will not be dangerous to persons on or adjacent to the property."

Notwithstanding the finding, the Commission denied the application, concluding that "The proposed conditional use permit is in conflict with the policies of the Comprehensive Plan." For justification of this conclusion of law, the Commission stated the application did not conform to the Property Rights, Economic Development,

and Land Use policies. Additionally, the Commission stated the following code sections were not met: BCRC 12-235 Table 3-5 note 6 and BCRC 12-241 Performance Standards.

II. Standard of Review: Relevant Regulations, Guidelines, and Code Sections

Pursuant to BCRC 12-262, the Bonner County Revised Code expressly authorizes an appeal from a final decision of the Commission, providing that:

- A. Presentation of Appeal: Any “affected person”, as defined by Idaho Code title 67, chapter 65, may appeal to the Board any final decision by the Zoning Commission/hearing examiner.
- B. Filing Time Limit; Fee: Any affected person may file an appeal of the final decision of the Zoning Commission/hearing examiner with the Planning Director within twenty eight (28) days after the final written decision of the Zoning Commission/hearing examiner has been issued. The appellant shall pay the fee required by this title upon filing the appeal. An appeal shall not be considered to be filed until such fee has been paid. Failure to file the appeal within the time limits shall cause automatic dismissal of the appeal.
- C. Notice Of Appeal Contents: The notice of appeal shall be detailed in writing and shall provide the grounds for the appeal. The grounds for appeal shall be that the decision of the commission or hearing examiner was at a minimum one of the following:
 - 1. In violation of constitutional or statutory provisions;
 - 2. In excess of the statutory authority of the commission or hearing examiner;
 - 3. Made upon unlawful procedure;
 - 4. Arbitrary, capricious or an abuse of discretion; or
 - 5. Not supported by substantial evidence on the record as a whole.

The Commission issued its initial written decision on File CUP0007-25 dated March 9, 2026, initiating the 28-day appeal period. This appeal has been timely filed within the required 28-day period and contains the necessary appeal contents. On appeal, the Board must determine whether the Commission properly applied the standards set forth in BCRC and whether its decision is supported by substantial evidence in the record. Where a decision is based on speculation, generalized concerns, or conditions not attributable to the proposed use, reversal is required under Idaho law.

Relevant Idaho Code Sections

Idaho Code § 67-6512 states: “As part of a zoning ordinance each governing board may provide by ordinance ... for the processing of applications for special or conditional use permits. A special use permit may be granted to an applicant if the proposed use is conditionally permitted by the terms of the ordinance, subject to conditions pursuant to specific provisions of the ordinance...”

This statute provides that such uses may be approved when they satisfy ordinance criteria, and it expressly anticipates the use of conditions to address potential impacts. In this case, the record does not identify any specific standard that cannot be met or any impact that could not be reasonably mitigated through conditions. Instead of applying conditions as suggested by statute, the Commission denied an otherwise compliant application without identifying a clear basis in the ordinance. This is inconsistent with the statutory framework governing conditional use permits.

Idaho Code § 67-6519(5) requires that:

“The decision-making body shall specify the ordinance and standards used in evaluating the application and shall provide the reasons for approval or denial.”

While the Commission cited BCRC 12-223, its conclusions are not supported by substantial evidence in the record. Under Idaho law, such unsupported conclusions do not satisfy the requirements of § 67-6519, see *Lane Ranch Partnership v. City of Sun Valley*.

Relevant Case Law

This appeal is governed by Idaho Code § 67-6501 et seq. Under Idaho Code § 67-6519(5), a governing body must base its decision on standards set forth in the applicable ordinance and provide reasons supported by the record.

Judicial review of land use decisions requires reversal where the decision is:

- Arbitrary, capricious, or an abuse of discretion; or
- Not supported by substantial evidence on the record as a whole. See *Lane Ranch Partnership v. City of Sun Valley*; *Neighbors for Responsible Growth v. Kootenai County*.

“Substantial evidence” is defined as relevant evidence that a reasonable mind might accept to support a conclusion, see *Lane Ranch*, 145 Idaho 87 (2006). Moreover, a denial may not be based on speculation, generalized concerns, or unsubstantiated public opinion, see *Neighbors for Responsible Growth*, 147 Idaho 173 (2009). A denial cannot be sustained where the record lacks evidence demonstrating that the proposed use itself causes the alleged impact.

In *Northwest Neighborhood Association v. City of Boise*, 172 Idaho 607 (2022), the Idaho Supreme Court reaffirmed that land use decisions must be grounded in clearly articulated standards and supported by a reasoned explanation tied to the record.

Idaho Code section 67-6535 expressly provides that the approval or denial of a land use application must be based upon standards and criteria set forth in the governing authority’s adopted regulations:

"The approval or denial of any application... shall be based upon standards and criteria which shall be set forth in the comprehensive plan, zoning ordinance or other appropriate ordinance or regulation of the city or county." (I.C. § 67-6535(1))

The Court emphasized that this requirement ensures that "permit applicants, interested residents, and decision makers alike may know the express standards that must be met in order to obtain a requested permit or approval." Id. (internal citation omitted).

Idaho Code section 67-6535 further requires that a governing body issue a written "reasoned statement" explaining its decision:

"The approval or denial... shall be in writing and accompanied by a reasoned statement that explains the criteria and standards considered relevant, states the relevant contested facts relied upon, and explains the rationale for the decision..." (I.C. § 67-6535(2)).

The statute provides that: "Failure to identify the nature of compliance or noncompliance with express approval standards or failure to explain compliance or noncompliance with relevant decision criteria shall be grounds for invalidation..." (I.C. § 67-6535(2)(a)).

The Idaho Supreme Court has consistently enforced these requirements. In *Lane Ranch Partnership v. City of Sun Valley*, 145 Idaho 87, 175 P.3d 776 (2007), the Court held that a local governing body must apply the plain language of its own ordinances and may not impose requirements or reach conclusions that are inconsistent with those standards. The Court affirmed that decisions lacking a reasonable basis in fact or law cannot stand.

Similarly, in *Neighbors for Responsible Growth v. Kootenai County*, 147 Idaho 173 (2009), the Court held that generalized public concern and speculative impacts do not constitute substantial evidence sufficient to support denial of a land use application.

The Court has further explained that the "reasoned statement" requirement serves essential functions, including facilitating judicial review and ensuring careful administrative decision-making. See *Jasso v. Camas County*.

III. Argument

The Decision is in Violation of Constitutional or Statutory Provisions (BCRC 12-262(C)(1)) & The Decision Was Made Upon Unlawful Procedure (BCRC 12-262(C)(3))

The Commission's decision was made upon an unlawful procedure and the Commission violated due process. During its deliberation, a Commission member

used his county laptop to search for the financial impacts of property values near a sewer treatment plant. The Commission then used this new information when evaluating the application against the standards.

The new information, or 'study,' as it is called in the decision letter:

- Was not presented until after the close of the public testimony,
- Was not included in the staff report or agency review, and
- Was not subject to rebuttal by the Applicant.

The record demonstrates that this "study" was introduced after the close of public testimony and after the evidentiary record had been established. As reflected in the hearing, the Commission deliberated extensively on property value impacts without identifying supporting evidence in the record. Staff explicitly advised the Commission that such evidence was required. Only after that point did a Commissioner independently locate and introduce a study during deliberations. This sequence confirms that the decision was not based on the record, but on information obtained outside the hearing process. This deprived the Applicant of notice and an opportunity to be heard on a material issue, which are fundamental components of due process in quasi-judicial proceedings.

A quasi-judicial decision must be based solely on the record developed during the public hearing. Reliance on extra-record information constitutes a procedural defect and renders the decision invalid.

The Decision Is Arbitrary, Capricious, and an Abuse of Discretion (BCRC 12-262(C)(4)) and The Decision Is Not Supported by Substantial Evidence (BCRC 12-262(C)(5))

The Commission's denial is arbitrary, capricious, and an abuse of discretion because it is inconsistent with the record and represents an unreasonable application of the governing standards.

The record demonstrates that the proposal satisfies applicable requirements of the zoning ordinance and does not present impacts that would justify denial. However, the Commission failed to connect its conclusions to specific standards or evidence in the record.

The Commission's decision violates statutory requirements by failing to provide a reasoned statement supported by the record.

Comprehensive Plan Policy Evaluation – Property Rights

The Commission's findings under the Property Rights component are not supported by any evidence in the record and are based on information introduced outside the hearing process.

"A submitted study shows that property values can decline 20-30% in this area when sewer treatment plants are built. Approval of this request will cause values to decline in Bonner County and help increase property values in Kootenai County in both the short and long term."

No study addressing property value impacts was submitted into the record prior to the close of public testimony. The only reference to declining property values arose from a generalized statement during public testimony, unsupported by data or analysis. The "study" cited in the decision was introduced during deliberations and was not subject to review or rebuttal, see the section below for the analysis on Unlawful Procedure.

"A long-term consequence is losing control jurisdiction of the property."

The property is remaining within unincorporated Bonner County and not being annexed into an incorporated city, the county will retain jurisdiction of the property as it pertains to land use.

"Quality of life will decrease because people will have to visit doctors more frequently as stated in public testimony."

There are no policies within this section that mention quality of life and thus a finding is inappropriate and unnecessary. No studies or evidence was included or submitted to the record that conclude that additional doctor visits would be necessary. Again, the Commission also concluded that the application *"will not create a hazard and will not be dangerous to persons on or adjacent to the property,"* which is in direct conflict with its evaluation of the property rights policies.

Comprehensive Plan Policy Evaluation – Land Use

In its evaluation of the Land Use policies, the Commission concluded that the project was in conflict with these policies, and for evidence in the record, it stated: *"#4 & #5. The proposal will impact land values, cause objectionable odor, and particular."* Again, there is no evidence in the record that indicates a decline in property values or objectionable odor and particular. When reviewing policies 4 and 5 of this section, they are policies directing the county government to evaluate the use tables and how to make changes. These policies are directed toward legislative policy development and do not establish approval criteria for quasi-judicial applications.

Comprehensive Plan Policy Evaluation – Economic Development

The written decision also states that the application is in conflict with the policies of the Economic Development section. The analysis states: *"This proposal is not supporting business, agricultural heritage or sustainable economic development."*

The policy related to "agricultural heritage" is directing the county to develop land

use regulations related to the topic and is not written as an evaluation criterion for a quasi-judicial application. Also, there are no policies that state a quasi-judicial application must support business.

The Commission's conclusion that the proposal does not support economic development is contradicted by the record. The proposed facility provides wastewater capacity, which is a foundational public service necessary to support commercial and residential growth. Without such infrastructure, economic development cannot occur. Additionally, the project includes the development of a 70-acre alfalfa field, directly contributing to agricultural production. These facts were presented during the hearing and were not disputed. The Commission's conclusion is therefore unsupported by the record.

Comprehensive Plan Policy Evaluation – Alignment

Contrary to the Commission's findings, the proposal is not only consistent with the Comprehensive Plan, but directly advances multiple adopted policies.

- Implementation Policy 3 calls for systematic coordination between the County and cities.
- Population Policy 3 directs coordination specifically within Areas of Impact.
- Land Use Policy 11 states plainly that urban development is better suited in urban areas, and that all cities depend on density to maintain viable water and sewer systems.
- Public Services, Facilities & Utilities Policies 1, 2, and 6 emphasize placing higher-density development within sewer and water districts.
- Housing Policy 2 directs the County to work with cities on meeting local housing needs.

Evaluation of BCRC 12-335 Public Use Table 3-5

In review of the applicable use table, as evidence in the record, the Commission cited:

"Odor: If there are winds there is no way to control the odor, because there is no way of controlling the wind."

Particulate matter:

Particulate matter studies have not been submitted and there is no evidence in the record that demonstrates that adjacent property owner will not be affected by any trespassing matter."

There is no supporting evidence in the record to support these generalized statements. Additionally, BCRC does not contain a standard for a particulate matter study for this file type, nor was the applicant given an opportunity to provide such a study. The Commission could have used its right under BCRC 12-222(L) to request

such a study and continue the hearing until it could be produced.

The Commission's conclusions regarding odor and particulate matter are further undermined by the absence of any technical support in the record. To the extent concerns regarding "drift" were raised, available technical information demonstrates that irrigation droplet size is significantly larger than that associated with pesticide applications, resulting in rapid ground deposition and minimal off-site transport. Even under elevated wind conditions, droplet travel distances are limited and do not support the generalized conclusions reached by the Commission regarding off-site impacts.

Evaluation of BCRC 12-241 Performance Standards

The Commission made similar findings in its evaluation of the general performance standards for all uses, as it relates to order and particulate matter, "*Air Pollution-odor and particulate matter can leave the site.*" This is a generalized statement with no evidence in the record to support it.

The Commission did not identify any objective threshold, standard, or measurable criterion within BCRC 12-235 Table 3-5 Note 6 or BCRC 12-241 that was exceeded or violated. Without identifying a specific standard and corresponding evidence of noncompliance, the conclusion that these provisions are not met is legally insufficient. Without an identified standard or evidentiary threshold, the Commission's finding effectively imposes undefined criteria, contrary to Idaho Code § 67-6535.

Ultimately, the decision relies on generalized concerns and conclusory statements without evidentiary support. Failure to explain compliance or noncompliance with applicable standards is grounds for invalidation under Idaho law.

Under Idaho law, generalized public concern and speculation do not constitute substantial evidence sufficient to support denial of a land use application. A denial must be supported by specific facts demonstrating noncompliance with applicable standards, which are absent in this case.

Prior Approvals and Consistent Code Application Support Reversal

The subject property and proposed use have been the subject of prior approvals under the same regulatory framework, see Bonner County Land Use Files C990-15 and C1010-18. These files approved the expansion of the Spirit Lake sewer treatment. The applicable zoning standards and code provisions have not materially changed since those approvals were granted.

This is important because:

- It demonstrates a consistent interpretation of the code permitting similar uses;
- It establishes that comparable impacts have previously been deemed

- acceptable; and
- It undermines any conclusion that the current proposal uniquely fails to meet applicable standards.

The Commission did not identify any material distinction between the previously approved files and the current application that would justify a different outcome. Additionally, the Commission did not identify any change in conditions, regulatory standards, or site characteristics that would justify a different outcome from these prior approvals.

This departure from established precedent, without new evidence or changed conditions, further supports that the denial is arbitrary and not supported by the record.

IV. Conclusion

The record demonstrates that the proposed conditional use permit satisfies all applicable requirements of Idaho Code and the Bonner County Revised Code.

The denial was based on information introduced outside the evidentiary record, depriving the Applicant of a fair opportunity to respond and violating fundamental principles of due process. The decision is further not supported by substantial evidence, as the record contains no competent evidence demonstrating noncompliance with applicable standards. Instead, the findings rely on speculation, generalized concerns, and conclusory statements.

Additionally, the Commission failed to provide a reasoned statement connecting the applicable standards to the facts in the record, as required under Idaho Code. The decision also reflects internal inconsistencies, including findings that the proposal will not create a hazard while simultaneously concluding that it conflicts with the Comprehensive Plan and applicable performance standards without evidentiary support.

Per BCRC 12-225, if the Commission denies a conditional use permit, it must state the reasons for the decision and identify actions the applicant could take to obtain approval. The Commission did not provide such guidance, further underscoring the inadequacy of the decision.

Accordingly, the Applicant respectfully requests that the Board reverse the Commission's decision and approve the conditional use permit, as approval is the only lawful outcome supported by the record. Any other outcome would require the Board to uphold a decision that is not supported by the record and was reached through a procedurally flawed process.